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Maryland. Constitutional Convention, 1967 - 1968.

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Committee on Judicial Branch.

Reports.

JB - 1 -- JB - 2

Maryland

KFM

1601

1967

.H224

Vol. 12

Folio

CONSTITUTIONAL CONVENTION OF MARYLAND

INTRA-CONVENTION MEMORANDUM

DATE: 21 November 1967  
TO: H. Vernon Eney, President  
FROM: Mr. Ira J. Wagonheim, Chief Clerk  
SUBJECT: Delegate Proposals covered by committee recommendation  
returned to Clerk's Office.

The Committee on JUDICIAL BRANCH has returned the  
following proposals with the report that they are covered by  
Committee Recommendation J.B. 1:

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*for second reading*  
*see*  
*S+D-8*

*Ira J. Wagonheim*  
Ira J. Wagonheim  
Chief Clerk



COMMITTEE ON CALENDAR AND AGENDA

Debate Schedule No. 4

For Debate of Committee Recommendation No. JB-1

There will be no general debate. Thirty (30) minutes will be allowed for general presentation of the Committee Report, and thirty (30) minutes for general presentation of Minority Report JB-1. Thereafter, the Committee Recommendation will be presented in four divisions: I. Court Structure; II. Judicial Selection, Tenure and Removal; III. Administration and Rule-Making Power, and IV. Miscellaneous. After the presentation of the Committee Recommendation and Minority Report as to each division, the Committee Recommendation in that division will be open to debate and amendment, section-by-section, no speech exceeding three (3) minutes (except as otherwise provided) as follows:

I. Court Structure (Secs. 5.01 - 5.11)

Committee Recommendations - No time limit  
Minority Report - No time limit

Sec. 5.01 - Judicial Power (to permit creation of other courts by law)

Controlled:

Del. Johnson - 15 minutes

Del. Mudd - 15 minutes

Uncontrolled:

15 minutes

Sec. 5.11 - Commissioners (to permit General Assembly to provide for Commissioners, and their number, qualification, appointment, compensation and terms)

Controlled:

Del. Johnson - 15 minutes

Del. Mudd - 15 minutes

Uncontrolled:

20 minutes

II. Judicial Selection, Tenure and Removal (Secs. 5.12 - 5.28)

Committee Recommendations - No time limit  
Minority Report - No time limit

Sec. 5.13 - Eligibility for Appointment as Judge (to insert minimum age requirement of 30)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes



Sec. 5.14 - Nomination and Appointment (to limit operation of Nominating Commission to appellate courts only, to change number of nominees, and to permit governor to appoint without Commission list in some circumstances)

Controlled:

Del. Johnson - 30 minutes

Del. Mudd - 30 minutes

Uncontrolled:

30 minutes

Sec. 5.15 - Appellate Courts Nominating Commission

Sec. 5.16 - Trial Courts Nominating Commissions

Sec. 5.17 - Lawyer Members of Nominating Commissions

Sec. 5.18 - Lay Members of Nominating Commissions, and

Sec. 5.19 - Judicial Member of Nominating Commissions

(to delete judicial member of Appellate Courts Nominating Commission, and to eliminate Trial Courts Nominating Commissions)

Controlled:

Del. Johnson - 15 minutes

Del. Mudd - 15 minutes

Uncontrolled:

15 minutes

Sec. 5.21 - Term of Office of Judge (to change election procedures for trial court judges)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

15 minutes

Sec. 5.22 - Retirement of Judges (to eliminate provision for temporary use of retired judges)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

10 minutes

Sec. 5.24 - Restriction of Non-Judicial Activities (to permit judges to contribute to political parties)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Sec. 5.14 - Nomination and Appointment (to limit operation of Nominating Commission to appellate courts only, to change number of nominees, and to permit governor to appoint without Commission list in some circumstances)

Controlled:

Del. Johnson - 30 minutes

Del. Mudd - 30 minutes

Uncontrolled:

30 minutes

Sec. 5.15 - Appellate Courts Nominating Commission

Sec. 5.16 - Trial Courts Nominating Commissions

Sec. 5.17 - Lawyer Members of Nominating Commissions

Sec. 5.18 - Lay Members of Nominating Commissions, and

Sec. 5.19 - Judicial Member of Nominating Commissions  
(to delete judicial member of Appellate Courts Nominating Commission, and to eliminate Trial Courts Nominating Commissions)

Controlled:

Del. Johnson - 15 minutes

Del. Mudd - 15 minutes

Uncontrolled:

15 minutes

Sec. 5.21 - Term of Office of Judge (to change election procedures for trial court judges)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

15 minutes

Sec. 5.22 - Retirement of Judges (to eliminate provision for temporary use of retired judges)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

10 minutes

Sec. 5.24 - Restriction of Non-Judicial Activities (to permit judges to contribute to political parties)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes



Sec. 5.26 - Commission on Judicial Disabilities (to increase  
lawyer and lay membership)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

II. Administration and Rule-Making Power (Secs. 5.29 - 5.31)

Committee Recommendation - No time limit

Minority Report - No time limit

Sec. 5.29 - Administration of Judicial System (to provide for  
gubernatorial appointment of  
chief judges)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

10 minutes

Sec. 5.30 - Clerks of Court (to provide for selection of  
Superior Court Clerk in each  
county and for appointment of  
District Court Clerk in each  
county as prescribed by law)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

10 minutes

Minority Report JB-1(B) (to provide for appointment of Superior  
Court Clerk and District Court Clerk  
in each county by rule)

Controlled:

Del. Dulany - 15 minutes

Del. Mudd - 15 minutes

Uncontrolled:

15 minutes

Sec. 5.31 - Rule-Making Power (to eliminate exclusive rule-  
making power)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

IV. Miscellaneous (Sheriffs, Registers of Wills, Right of Removal,  
Judicial Disqualification)

Committee Recommendation - No time limit

Minority Report - No time limit

Right of Removal (to provide for right of removal as prescribed by rule or law)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Judicial Disqualification (to provide for judicial disqualification)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Sheriffs (to permit General Assembly to provide for office of Sheriff in any county)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Registers of Wills (to permit General Assembly to provide for Registers of Wills in any county)

Controlled:

Del. Johnson - 10 minutes

Del. Mudd - 10 minutes

Uncontrolled:

15 minutes

Presentation by sponsor of further amendments limited to 10 minutes including time yielded for answering questions.

Note: Speeches alternate between sides whenever there is a total limit on a subject.



Right of Removal (to provide for right of removal as prescribed  
by rule or law)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Judicial Disqualification (to provide for judicial disqualification)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Sheriffs (to permit General Assembly to provide for office of  
Sheriff in any county)

Controlled:

Del. Johnson - 5 minutes

Del. Mudd - 5 minutes

Uncontrolled:

10 minutes

Registers of Wills (to permit General Assembly to provide for  
Registers of Wills in any county)

Controlled:

Del. Johnson - 10 minutes

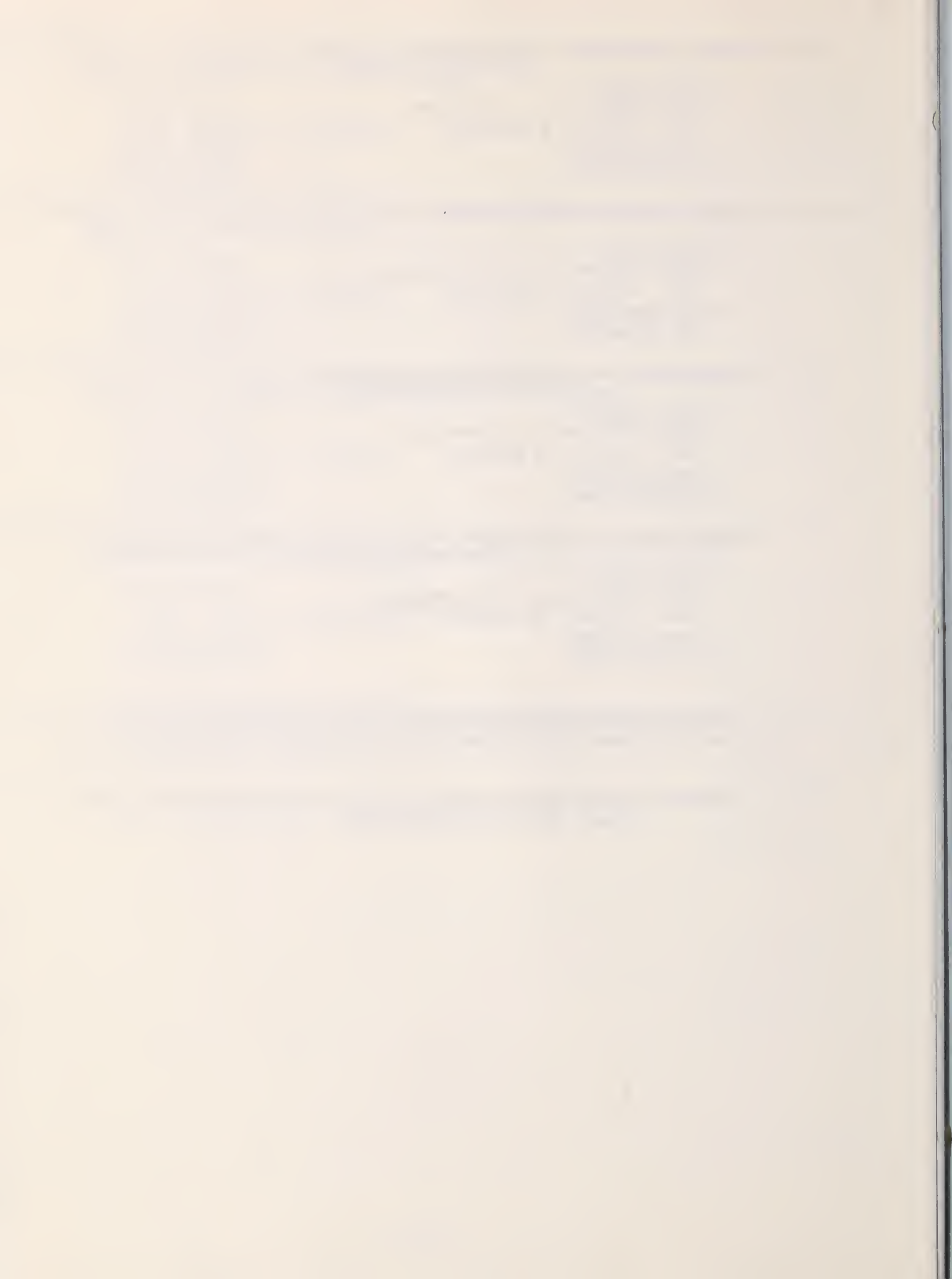
Del. Mudd - 10 minutes

Uncontrolled:

15 minutes

Presentation by sponsor of further amendments limited to 10  
minutes including time yielded for answering questions.

Note: Speeches alternate between sides whenever there is a  
total limit on a subject.





# Constitutional Convention

## COMMITTEE RECOMMENDATION NO. JB-1

BY THE COMMITTEE ON THE JUDICIAL BRANCH,  
F. DeSales Mudd, Chairman

*for signed reading*  
*See JB-8*

November 6, , 1967.

Presented, read, and referred to the Committee of the Whole.

*Ira J. Wagonheim*

By order, IRA J. WAGONHEIM, Chief Clerk.

This Recommendation covers Delegate Proposals Nos. 5, 81, 100, 101, 105, 115, 127, 155, 156, 157, 169, 170, 209, 210, 219, 236, 255, 262, 268, 272, 290, 307, 354, 373, 381, 404, 413 & 417.

### TITLE

1 A RECOMMENDATION that the Constitution con-  
2 tain an Article V establishing the Judicial  
3 Branch of the State Government, the Article  
4 to read as follows:

5

6

#### ARTICLE V. JUDICIAL BRANCH

7

8

#### Section 5.01. Judicial Power.

9

10 The judicial power of the State is vested  
11 exclusively in a unified judicial system com-  
12 posed of the Court of Appeals, the Intermedi-  
13 ate Appellate Court, the Superior Court and  
14 the District Court.

15

16

#### THE COURT OF APPEALS

17

18

#### Section 5.02. Jurisdiction of Court of Appeals.

19

20

21 The Court of Appeals shall be the highest  
22 court of the State and shall have the appel-  
23 late jurisdiction prescribed by law and the  
24 original jurisdiction prescribed by this Con-  
25 stitution.

1                   Section 5.03.   Composition of Court  
2                                   of Appeals.  
3

4           The Court of Appeals shall be composed of  
5 seven judges, one of whom shall serve as chief  
6 judge. Five judges shall constitute a quorum,  
7 and the concurrence of four shall be necessary  
8 for the decision of a case.  
9

10                   Section 5.04.   Chief Judge of the  
11                                   Court of Appeals.  
12

13           The governor shall fill a vacancy in the of-  
14 fice of chief judge of the Court of Appeals by  
15 designating one of the judges of the Court of Ap-  
16 peals to be chief judge for the remainder of his  
17 service on the court, or until he resigns the  
18 office of chief judge. The associate judge senior  
19 in service on the Court of Appeals shall have the  
20 powers and duties of the office when the chief  
21 judge is absent, when the Court of Appeals deter-  
22 mines that he is unable to serve, or when the of-  
23 fice is vacant.  
24

25                   THE INTERMEDIATE APPELLATE COURT  
26

27                   Section 5.05.   Jurisdiction of Inter-  
28                                   mediate Appellate Court.  
29

30           The Intermediate Appellate Court shall have the  
31 jurisdiction prescribed by law.  
32

33                   Section 5.06.   Composition of Inter-  
34                                   mediate Appellate Court.  
35

36           The Intermediate Appellate Court shall be com-  
37 posed of no fewer than five judges, as prescribed  
38 by law. The Intermediate Appellate Court may sit  
39 in divisions, as prescribed by rule, except that  
40 no fewer than three judges shall sit in each case.  
41

42                   THE SUPERIOR COURT  
43

44                   Section 5.07.   Jurisdiction of Superior  
45                                   Court.  
46

47           The Superior Court shall have original jur-  
48 isdiction in all judicial proceedings, except  
49 as otherwise prescribed by this Constitution  
50 or by law, and shall have such other jurisdiction

1                   Section 5.03.   Composition of Court  
2                                   of Appeals.  
3

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5 seven judges, one of whom shall serve as chief  
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8 for the decision of a case.  
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18 office of chief judge. The associate judge senior  
19 in service on the Court of Appeals shall have the  
20 powers and duties of the office when the chief  
21 judge is absent, when the Court of Appeals deter-  
22 mines that he is unable to serve, or when the of-  
23 fice is vacant.  
24

25                   THE INTERMEDIATE APPELLATE COURT  
26

27                   Section 5.05.   Jurisdiction of Inter-  
28                                   mediate Appellate Court.  
29

30           The Intermediate Appellate Court shall have the  
31 jurisdiction prescribed by law.  
32

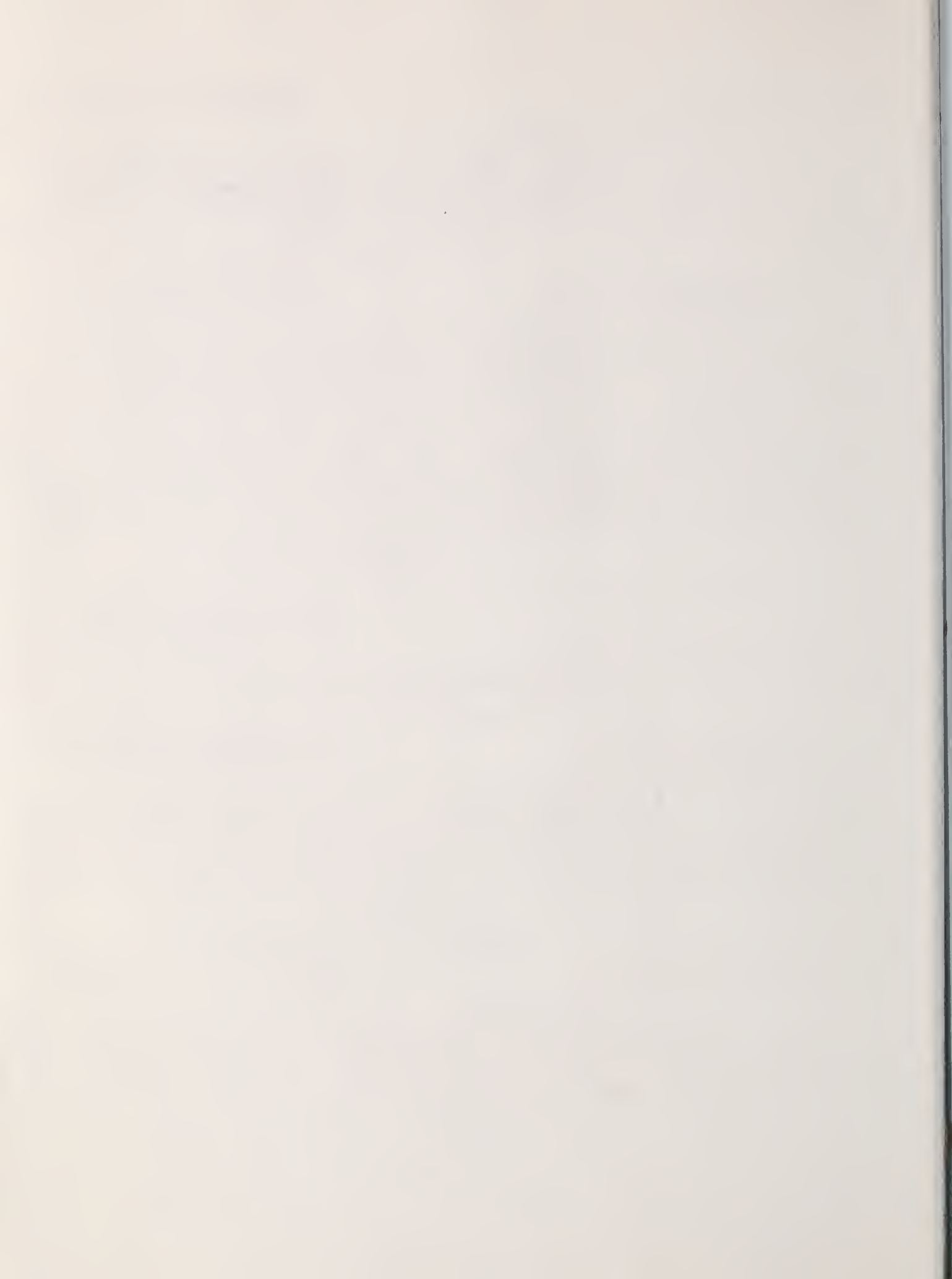
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35

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39 in divisions, as prescribed by rule, except that  
40 no fewer than three judges shall sit in each case.  
41

42                   THE SUPERIOR COURT  
43

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45                                   Court.  
46

47           The Superior Court shall have original jur-  
48 isdiction in all judicial proceedings, except  
49 as otherwise prescribed by this Constitution  
50 or by law, and shall have such other jurisdiction





1 as is prescribed by law. Jurisdiction of  
2 the Superior Court shall be uniform throughout  
3 the State.

4  
5 Section 5.08. Composition of  
6 Superior Court.  
7

8 The Superior Court shall be composed of the  
9 number of Judges prescribed by law and the num-  
10 ber shall be allocated among the counties by  
11 law. There shall be at least one Superior  
12 Court judge resident in each county. Functional  
13 divisions of the Superior Court may be establish-  
14 ed in any county as prescribed by rule.

15  
16 THE DISTRICT COURT  
17

18 Section 5.09. Jurisdiction of  
19 District Court.  
20

21 The District Court shall have the original  
22 jurisdiction prescribed by law. Jurisdiction  
23 of the District Court shall be uniform through-  
24 out the State.

25  
26 Section 5.10. Composition of  
27 District Court.  
28

29 The District Court shall be composed of the  
30 number of judges prescribed by law. The State  
31 shall be divided by law into districts. Each  
32 district shall be composed of one or more en-  
33 tire and adjoining counties. The number of  
34 judges shall be allocated among the districts  
35 by law, and there shall be at least one District  
36 Court judge resident in each district. In any  
37 district containing more than one county, a Dis-  
38 trict Court judge shall sit regularly in each  
39 county. Functional divisions of the District  
40 Court may be established in any district as pre-  
41 scribed by rule.

42  
43 Section 5.11. Commissioners.  
44

45 There may be commissioners of the District  
46 Court in the number and with the qualifications  
47 prescribed by rule. Commissioners in a district  
48 shall be appointed by and serve at the pleasure  
49 of that judge of the District Court who shall  
50 be designated by rule to appoint commissioners

1 therein. Commissioners may exercise powers only  
2 with respect to warrants of arrest, collateral  
3 and incarceration pending hearing, and then  
4 only as prescribed by rule.

5  
6 SELECTION AND TENURE OF JUDGES  
7

8 Section 5.12. Judicial Circuits.  
9

10 The State shall be divided by law into cir-  
11 cuits of the Court of Appeals and into circuits  
12 of the Intermediate Appellate Court.  
13

14 Section 5.13. Eligibility for  
15 Appointment as Judge.  
16

17 To be eligible for nomination and appointment  
18 as a judge, a person shall have been a citizen  
19 of the State and a member of the Bar of the  
20 State for at least five years immediately prior  
21 to his nomination. To be eligible for nomina-  
22 tion and appointment as a judge of the Court of  
23 Appeals or the Intermediate Appellate Court, a  
24 person shall be a resident of the circuit where  
25 the Court of Appeals or the Intermediate Appel-  
26 late Court vacancy exists. To be eligible for  
27 nomination and appointment as a judge of the Su-  
28 perior Court, a person shall be a resident of  
29 the county where the Superior Court vacancy  
30 exists. To be eligible for nomination and ap-  
31 pointment as a judge of the District Court, a  
32 person shall be a resident of the district where  
33 the District Court vacancy exists.  
34

35 Section 5.14. Nomination and  
36 Appointment.  
37

38 The governor shall fill a vacancy in the of-  
39 fice of judge by appointing one person from a  
40 list of no fewer than two nor more than five  
41 eligible persons nominated by a judicial nomi-  
42 nating commission. Nominations to fill a  
43 vacancy shall be made not more than thirty days  
44 prior to nor more than sixty days after the oc-  
45 currence of the vacancy. If the governor fails  
46 to appoint one of the nominees within sixty days  
47 after receiving the list, his power to make the  
48 appointment shall end and the chief judge of the  
49 Court of Appeals shall appoint one of the nomi-  
50 nees.

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12 of the Intermediate Appellate Court.

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18 as a judge, a person shall have been a citizen  
19 of the State and a member of the Bar of the  
20 State for at least five years immediately prior  
21 to his nomination. To be eligible for nomina-  
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29 the county where the Superior Court vacancy  
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31 pointment as a judge of the District Court, a  
32 person shall be a resident of the district where  
33 the District Court vacancy exists.  
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47 after receiving the list, his power to make the  
48 appointment shall end and the chief judge of the  
49 Court of Appeals shall appoint one of the nomi-  
50 nees.





1                   Section 5.15.   Appellate Courts  
2                                   Nominating Commission.  
3

4       Nominations to fill a vacancy on the Court of  
5 Appeals or on the Intermediate Appellate Court  
6 shall be made by the Appellate Courts Nominat-  
7 ing Commission. The Commission shall be composed  
8 of six lay persons, six lawyers, and one judge of  
9 the Court of Appeals. The term of each member  
10 shall be four years.

11  
12                   Section 5.16.   Trial Courts  
13                                   Nominating Commissions.  
14

15       Nominations to fill a vacancy on the Superior  
16 Court and on the District Court shall be made  
17 by a trial courts nominating commission. The  
18 number and composition of the commissions and  
19 the terms of their members shall be prescribed  
20 by law, except that each commission shall have  
21 no fewer than five members and shall be composed  
22 of an equal number of lay and lawyer members,  
23 and one judge. Each commission shall make nomi-  
24 nations to fill vacancies on the Superior Court  
25 in one or more counties, or on the District  
26 Court in one or more districts, or both, as pre-  
27 scribed by law.

28  
29                   Section 5.17.   Lawyer Members of  
30                                   Nominating Commissions.  
31

32       Lawyer members of the Appellate Courts Nomi-  
33 nating Commission shall be elected by lawyers  
34 throughout the State. Lawyer members of each  
35 trial courts nominating commission shall be  
36 elected by the lawyers of the area for which  
37 such commission is established. Election pro-  
38 cedure and eligibility of lawyer members of  
39 nominating commissions and of their electors  
40 shall be prescribed by rule.

41  
42                   Section 5.18.   Lay Members of  
43                                   Nominating Commissions.  
44

45       Lay members of the Appellate Courts Nominating  
46 Commission shall be appointed by the Governor from  
47 the qualified voters of the State. Lay members of  
48 each trial courts nominating commission shall be  
49 appointed by the governor from the qualified voters  
50 of the area for which such commission is established.

1                   Section 5.19.   Judicial Member of  
2                                   Nominating Commissions.  
3

4           The judicial member of the Appellate Courts  
5   Nominating Commission shall be appointed by  
6   the Court of Appeals. A judicial member of  
7   each trial courts nominating commission shall be  
8   selected in the manner prescribed by rule.  
9

10                   Section 5.20.   Rules Governing  
11                                   Nominating Commissions.  
12

13           Each nominating commission shall act only  
14   upon the concurrence of a majority of its mem-  
15   bers. Each commission shall elect one of its  
16   members as chairman. A non-judicial member of  
17   a commission may not hold any public office of  
18   profit or office in a political party while a  
19   member of a commission. A non-judicial member  
20   shall not be eligible to hold a judicial office  
21   for two years immediately following his service  
22   on the commission and he shall not be eligible  
23   to hold any other public office of profit for  
24   one year immediately following his service.  
25

26                   Section 5.21.   Term of Office  
27                                   of Judge.  
28

29           The continuance in office of each judge  
30   shall be subject to approval or rejection by  
31   the electorate at the next general election  
32   following the expiration of two years from  
33   the date of his appointment and every 10 years  
34   thereafter so long as he retains his office.  
35   The continuance in office of each judge of the  
36   Court of Appeals and of the Intermediate Ap-  
37   pellate Court shall be subject to approval or  
38   rejection by the electorate of the entire State.  
39   The continuance in office of each judge of the  
40   Superior Court and of the District Court shall  
41   be subject to approval or rejection by the elec-  
42   torate of the county or the district, respec-  
43   tively, for which the office then exists. The  
44   Court of Appeals shall prescribe by rule for  
45   the taking of a poll by secret ballot of the  
46   lawyers of the area in which the judge is re-  
47   quired to stand for election as to whether he  
48   should be continued in office for a full or ad-  
49   ditional term, and for publication of the re-  
50   sults thereof. In the event the electorate

1                   Section 5.19.   Judicial Member of  
2                                   Nominating Commissions.  
3

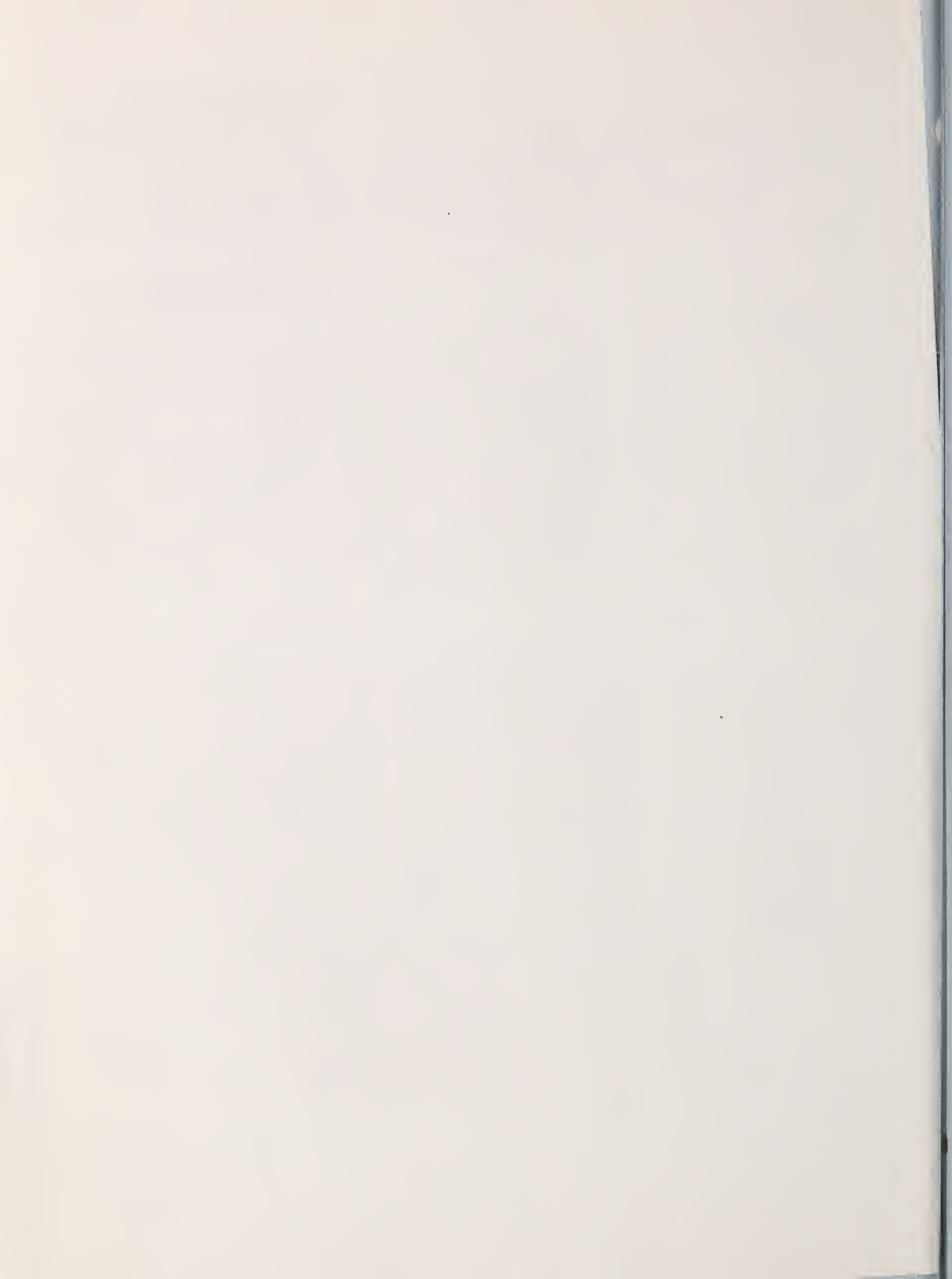
4           The judicial member of the Appellate Courts  
5   Nominating Commission shall be appointed by  
6   the Court of Appeals. A judicial member of  
7   each trial courts nominating commission shall be  
8   selected in the manner prescribed by rule.  
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10                   Section 5.20.   Rules Governing  
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13           Each nominating commission shall act only  
14   upon the concurrence of a majority of its mem-  
15   bers. Each commission shall elect one of its  
16   members as chairman. A non-judicial member of  
17   a commission may not hold any public office of  
18   profit or office in a political party while a  
19   member of a commission. A non-judicial member  
20   shall not be eligible to hold a judicial office  
21   for two years immediately following his service  
22   on the commission and he shall not be eligible  
23   to hold any other public office of profit for  
24   one year immediately following his service.  
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31   the electorate at the next general election  
32   following the expiration of two years from  
33   the date of his appointment and every 10 years  
34   thereafter so long as he retains his office.  
35   The continuance in office of each judge of the  
36   Court of Appeals and of the Intermediate Ap-  
37   pellate Court shall be subject to approval or  
38   rejection by the electorate of the entire State.  
39   The continuance in office of each judge of the  
40   Superior Court and of the District Court shall  
41   be subject to approval or rejection by the elec-  
42   torate of the county or the district, respec-  
43   tively, for which the office then exists. The  
44   Court of Appeals shall prescribe by rule for  
45   the taking of a poll by secret ballot of the  
46   lawyers of the area in which the judge is re-  
47   quired to stand for election as to whether he  
48   should be continued in office for a full or ad-  
49   ditional term, and for publication of the re-  
50   sults thereof. In the event the electorate





1 rejects the continuance in office of a judge,  
2 the office shall be vacant.  
3

4           Section 5.22.   Retirement of Judge.  
5

6           Each judge shall retire at the age of seventy.  
7 The chief justice of the Court of Appeals, with  
8 the approval of a majority of the members of that  
9 court, may authorize a retired judge temporarily  
10 to perform judicial duties in any court.  
11

12           Section 5.23.   Compensation of  
13                           Judge.  
14

15           Each judge shall be compensated for his judi-  
16 cial service solely by the State. The compensa-  
17 tion of a judge shall not be reduced during  
18 his continuance in office. A pension payable to  
19 a retired judge or his surviving spouse in effect  
20 during his continuance in office shall not be re-  
21 duced. All judges of the same court shall be  
22 paid the same compensation, including any pension  
23 based upon length of service, except that a uni-  
24 form reduction in compensation may be made ap-  
25 plicable to all judges of the same court ap-  
26 pointed after the effective date of the reduction.  
27

28           Section 5.24.   Restriction of Non-  
29                           Judicial Activities.  
30

31           No judge shall engage in the practice of law  
32 or run for elective office other than the judi-  
33 cial office he then holds, or make any contribu-  
34 tion to or hold any office in a political party  
35 or organization, or take part in any partisan  
36 political campaign, or receive any remuneration  
37 for his judicial service except as provided  
38 herein. No retired judge while engaging in the  
39 practice of law or running for elective office or  
40 holding any public office of profit shall be paid  
41 any pension for his judicial service.  
42

43           REMOVAL OF JUDGES  
44

45           Section 5.25.   Removal or Retirement  
46                           of Judge.  
47

48           The Court of Appeals shall have power to re-  
49 move any judge from office or to censure any  
50 judge upon recommendation of the Commission on

1 Judicial Disabilities that the judge be re-  
2 moved and upon a finding, after hearing, of  
3 misconduct while in office, persistent failure  
4 to perform the duties of his office, or conduct  
5 prejudicial to the proper administration of jus-  
6 tice. The Court of Appeals shall have power to  
7 retire any judge from office upon recommendation  
8 of the Commission on Judicial Disabilities that  
9 the judge be retired and upon a finding, after  
10 hearing, of disability seriously interfering with  
11 the performance of his duties, which is, or is  
12 likely to become, of a permanent character. A  
13 judge shall not sit in any hearing involving his  
14 own removal or retirement. A judge removed under  
15 this section, and his surviving spouse, shall  
16 have the rights and privileges accruing from his  
17 judicial service only to the extent prescribed  
18 by the order of removal. A judge retired under  
19 this section shall have the rights and privi-  
20 leges prescribed by law for other retired judges.

21  
22 Section 5.26. Commission on Judicial  
23 Disabilities.  
24

25 The Commission on Judicial Disabilities shall  
26 consist of one judge of the Intermediate Ap-  
27 pellate Court, one judge of the Superior Court,  
28 one judge of the District Court, one lay person,  
29 and one lawyer. The judicial members shall be  
30 appointed by the Court of Appeals. The lay mem-  
31 ber and the lawyer member shall be appointed by  
32 the governor from the qualified voters of the  
33 State. The term of each member shall be four  
34 years.

35  
36 Section 5.27. Power of Commission on  
37 Judicial Disabilities.  
38

39 The Commission on Judicial Disabilities shall  
40 have power to investigate complaints against any  
41 judge, conduct hearings concerning the removal  
42 or retirement of a judge, administer oaths and  
43 affirmations, issue process to compel the at-  
44 tendance of witnesses and the production of  
45 evidence, and require persons to testify and  
46 produce evidence by granting immunity from prose-  
47 cution or from any penalty or forfeiture. All  
48 proceedings, testimony, and evidence before the  
49 Commission shall be confidential and privileged,  
50 except that the record of any proceeding filed



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50 except that the record of any proceeding filed



1 with the Court of Appeals shall lose its confi-  
2 dential character.

3  
4 Section 5.28. Rules Governing Commis-  
5 sion on Judicial Disa-  
6 bilities.

7  
8 The Commission on Judicial Disabilities  
9 shall act only upon the concurrence of a majority  
10 of its members. The Commission shall elect one  
11 of its members as chairman. A member of the Com-  
12 mission shall receive no compensation for his  
13 service. Practice and procedure before the Com-  
14 mission shall be prescribed by rule.

15  
16 ADMINISTRATION

17  
18 Section 5.29. Administration of  
19 Judicial System.  
20

21 The chief judge of the Court of Appeals shall  
22 be the administrative head of the judicial system.  
23 He shall designate one Intermediate Appellate  
24 Court judge, one Superior Court judge, and one  
25 District Court judge as the chief judge of each  
26 court. Each shall serve as chief judge at the  
27 pleasure of the chief judge of the Court of Ap-  
28 peals, and shall perform such duties in the ad-  
29 ministration of the judicial system as the chief  
30 judge of the Court of Appeals shall assign him.  
31 The chief judge of the Court of Appeals may des-  
32 ignate administrative judges in the manner pres-  
33 cribed by rule. Administrative judges shall  
34 perform the duties prescribed by rule. Any  
35 judge may be assigned to sit temporarily in any  
36 court as prescribed by rule.

37  
38 Section 5.30. Clerks of Court.  
39

40 The chief judges of the Court of Appeals and  
41 of the Intermediate Appellate, Superior and  
42 District Courts shall each appoint a chief clerk  
43 of his court who shall serve at the pleasure of  
44 the appointing judge. There shall be a clerk of  
45 the Superior Court and of the District Court in  
46 each county. The clerk of the Superior Court in  
47 each county shall be selected as prescribed by  
48 law. The appointment and terms of clerks of  
49 the District Court shall be governed by rule.

Section 5.31. Rule-Making Power.

Except as to matters specifically provided by this Constitution to be prescribed by rule, the Court of Appeals by rule and the General Assembly by law shall have concurrent power to prescribe regulations governing practice and procedure in all courts, governing the admission of persons to practice law in this State and the discipline of persons so admitted, and governing administration of the courts, officers of the judicial branch and, to the extent that their duties directly relate to the enforcement of judicial orders, officers of the executive branch. In the event a rule and a law prescribing a regulation of any of the three foregoing classes conflict, the later in time shall supersede the prior to the extent of the conflict. "Rule" as used in this Article means a rule adopted by the Court of Appeals.

Barbara Koon  
University of Maryland Library  
College Park, Md.



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Maryland Room  
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College Park, Md.



# Constitutional Convention

## COMMITTEE MEMORANDUM NO. JB-1

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BY THE COMMITTEE ON THE JUDICIAL BRANCH,  
F. DeSales Mudd, Chairman

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November 6 , 1967.

In support of Committee Recommendation No. JB-1

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1 In its Recommendation JB-1, the Committee  
2 proposes an entire Judiciary Article for the  
3 Maryland Constitution. The Article deals with  
4 structure of the court system; selection, ten-  
5 ure, compensation and removal of judges; judi-  
6 cial administration and rule-making power.  
7 Its organization is generally patterned on  
8 Delegate Proposal No. 5, which in turn followed  
9 the Judiciary Article drafted by the Constitu-  
10 tional Convention Commission.

11  
12 In drafting the Recommendation, the Com-  
13 mittee has attempted to steer a course between  
14 a general approach, such as that contained in  
15 the United States Constitution, and a completely  
16 detailed type of Article, such as the forty-  
17 five sections and innumerable subsections of  
18 Article IV of the present Maryland Constitution.  
19 The former approach, embodied in Delegate Pro-  
20 posal 81, was rejected because its generality  
21 could not insure the adoption of certain basic  
22 judicial reforms. Such an Article would not  
23 even give guidance to the Legislature, the  
24 Court of Appeals in the exercise of its rule-  
25 making power, or to the people as to the im-  
26 provements in the administration of justice  
27 deemed basic and essential by the Committee.

28  
29 The approach exemplified by the present  
30 Constitution was rejected because it would  
31 crystalize in the Constitution a mass of de-  
32 tail, sometimes of a trivial nature, thereby





1 eliminating flexibility, the possibility of  
2 Legislative or rule-making experimentation,  
3 and the opportunity to make changes in func-  
4 tional, procedural or other provisions, in  
5 order to meet changing circumstances and  
6 new conditions.

7  
8       The Committee is of the view that its  
9 Recommendation establishes a simple frame-  
10 work for an improved, unified and uniform  
11 judicial system, mandating certain neces-  
12 sary reforms. Basic to our work, as to  
13 the work of other Committees of this Con-  
14 vention, is the premise that, as one of  
15 the three great coordinate branches of  
16 government, the judiciary, within reason-  
17 able limits, must be left free to work  
18 out its own salvation, and to solve myriad  
19 problems incident to an ever-expanding  
20 population and caseload.

21  
22       The framework, embodied in Sections  
23 5.01-5.31, includes a four-tier unified  
24 State-wide court system, the so-called  
25 "Missouri" or "Niles" plan of judicial  
26 appointment and election, the "California"  
27 plan of judicial removal, provisions for  
28 uniform judicial salaries and pensions,  
29 and grants of broad rule-making and ad-  
30 ministrative powers, to promote the effi-  
31 cient operation of the system as a truly  
32 unified, coordinated State-wide judicial  
34 system.

35  
36       The Committee is firmly convinced  
37 that it is the responsibility of the  
38 State to provide for the proper adminis-  
39 tration of justice. At the present time,  
40 this duty is shared with local govern-  
41 ments. This results in a complex method  
42 of combined State and local financing  
43 which stifles improvement of the judici-  
44 al system and prevents urgently needed  
45 expansion of facilities. The concept  
46 of the unified judicial system, recom-  
47 mended by your Committee, places the ob-  
48 ligation to finance it solely upon the  
49 State. The additional financial burden  
50 on the State will, of course, relieve



1 the subdivisions commensurately. It is  
2 recommended that the Article on State  
3 Finances contain an express provision  
4 that the costs of the judicial system  
5 shall be borne entirely by the State.

#### 6 7 COURT STRUCTURE 8

9 Sections 5.01-5.11 deal with the  
10 structure of the judicial system.  
11

12 Section 5.01 of recommended Article  
13 V vests the judicial power of the State  
14 "exclusively in a unified judicial sys-  
15 tem composed of the Court of Appeals,  
16 the Intermediate Appellate Court, the  
17 Superior Court and the District Court."  
18 The section is like Section 5.01 of  
19 Delegate Proposal 5, except that the  
20 name "Court of Appeals" is used to  
21 designate the highest appellate court,  
22 instead of the name "Supreme Court."  
23 In this regard, the Committee believes  
24 that "Court of Appeals" is not an in-  
25 accurate or misleading title for this  
26 court. A majority of the Committee  
27 feels that this is one matter in  
28 which some weight should be given to  
29 history. Our State's highest tribunal  
30 has been known as the Court of Appeals  
31 continuously since 1776. Article 56,  
32 Constitution of 1776. In fact, this  
33 designation may well go back to 1695;  
34 Bond, The Court of Appeals of Mary-  
35 land, p. 33 (1928). The Court's  
36 reputation, under the name "Court  
37 of Appeals" is high throughout the  
38 country. The Committee deems it de-  
39 sirable to retain this nomenclative  
40 link with an outstanding judicial  
41 tradition.  
42

43 The name of the second level ap-  
44 pellate court is changed to the "In-  
45 termediate Appellate Court", to avoid  
46 possible confusion with the Court of  
47 Appeals.  
48  
49  
50



1       The four-tier court structure is of a  
2 type frequently advocated by proponents of  
3 judicial reform. It is similar to the sys-  
4 tem contemplated by the American Bar Associ-  
5 ation Model Constitution. Except for the  
6 establishment of the District Court, it  
7 follows closely the National Municipal  
8 League proposed Model State Constitution.  
9

10       The Committee gave careful consider-  
11 ation to the so-called "three-tier" court  
12 structure. Under this system, there are  
13 usually two appellate courts and one  
14 state-wide trial court. See e.g., Art.  
15 VI, Secs. 1 and 8 of the Illinois Consti-  
16 tution; and Report of the Indiana Judicial  
17 Study Commission (1966). However, it  
18 appears that the three-tier system is in  
19 fact operated as a four-tier system,  
20 through the election or appointment of  
21 associate judges or magistrates as auxil-  
22 iaries of the general trial court, for  
23 the purpose of handling small cases.  
24 Moreover, the Committee believes that  
25 transition from the present Maryland  
26 judicial system to the recommended  
27 four-tier system will be easier than a  
28 change to a three-tier system.  
29

30       The two appellate courts established  
31 by Section 5.01 do not differ materially  
32 from the two existing appellate courts  
33 (the Court of Appeals and the Court of  
34 Special Appeals). The major changes  
35 occur at the trial court level.  
36

37       Under the present Maryland Constitu-  
38 tion, except in Baltimore City, the  
39 courts of general trial jurisdiction are  
40 the Circuit Courts. One such court is  
41 held in each county. Maryland Constitu-  
42 tion, Art. IV, Sec. 20. In Baltimore,  
43 there are five Constitutionally-estab-  
44 lished trial courts, one such court es-  
45 tablished by statute, and the Supreme  
46 Bench of Baltimore City. Maryland Con-  
47 stitution, Art. IV, Secs. 27 and 39.  
48  
49  
50



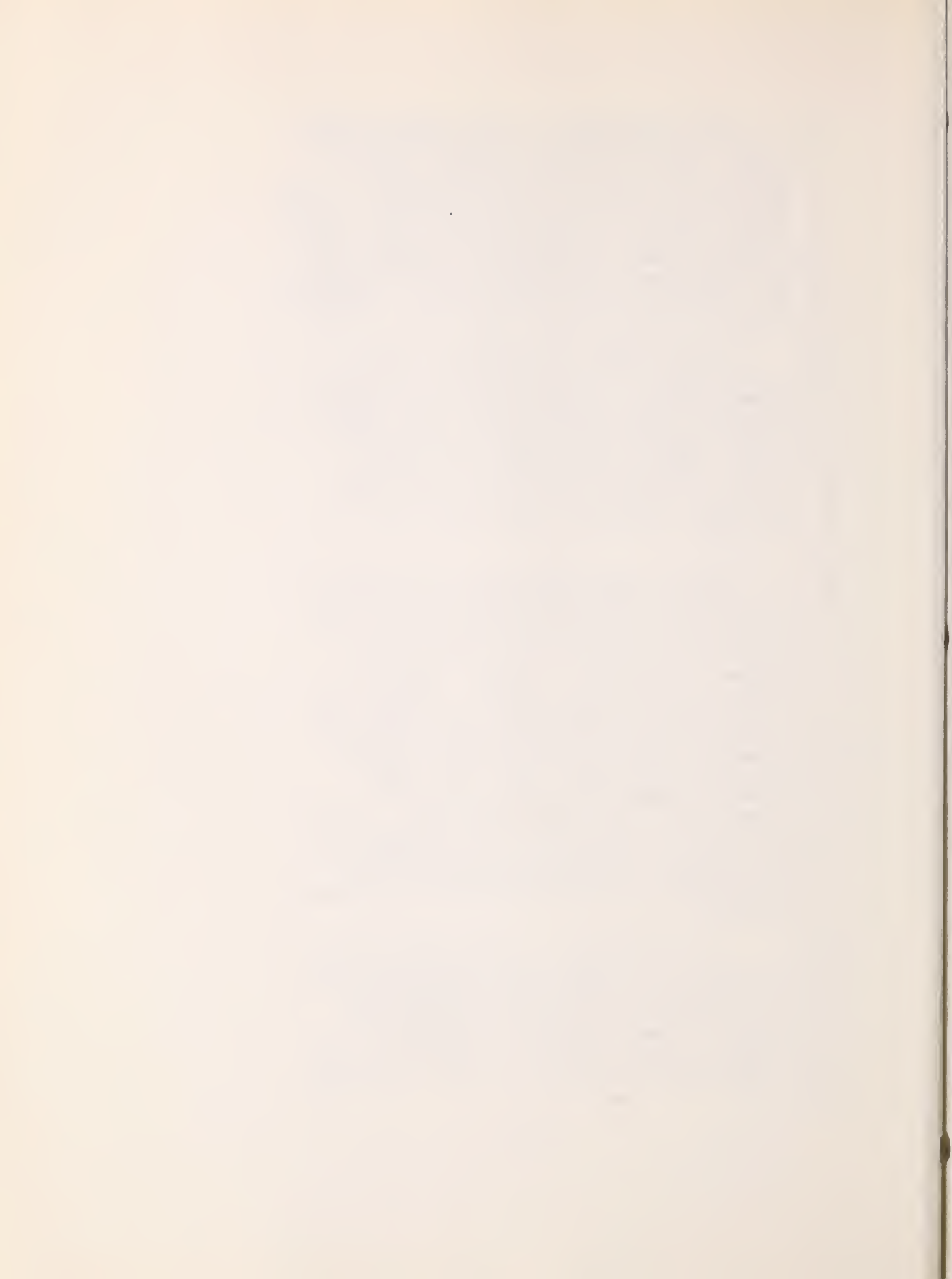


1 Under Section 5.01, all these courts  
2 would be replaced by a single State-wide  
3 trial court of uniform general jurisdic-  
4 tion, designated the Superior Court.  
5 This name is used by fifteen States for the  
6 trial court of general jurisdiction. The  
7 name is thought to be more meaningful than  
8 "Circuit Court" because our proposed judi-  
9 cial Article V, as drafted by the Commit-  
10 tee, does not utilize the circuit mechanism  
11 or nomenclature at the trial court level.  
12

13 At the level of courts of limited  
14 jurisdiction, a jumble of courts with dif-  
15 ferent names, organization and jurisdic-  
16 tion has been created under the present  
17 Constitution either directly or by sta-  
18 tute. These include People's Courts  
19 (Art. IV, Secs. 41A-41B); the Municipal  
20 Court of Baltimore City (Art. IV, Sec.  
21 41C) and Justices of the Peace (Art. IV,  
22 Sec. 42).  
23

24 All of these courts would be replaced  
25 by a single State-wide court of uniform  
26 limited jurisdiction designated the Dis-  
27 trict Court. The District Court would be  
28 manned by fully-qualified, full-time  
29 judges, selected in the same manner as  
30 judges of the other courts. Almost all  
31 of 100 odd witnesses we heard agree that  
32 this is a most necessary, and a most de-  
33 sirable change in the Judicial Article,  
34 because these courts deal with the  
35 greatest number of people, and those  
36 least able to protect themselves. It is  
37 precisely at this level that respect for  
38 law, and the integrity and impartiality  
39 of justice, are most essential to the  
40 development and perpetuation of an orderly  
41 society.  
42

43 In considering the four-tier court  
44 structure, the Committee discussed a num-  
45 ber of Delegate Proposals which would  
46 have mandated certain specialized tri-  
47 bunals. These included a Juvenile  
48 Court (Proposal 170); a Court of Claims  
49 (Proposals 209 and 210); and a Tax Court  
50



1 (Proposal 236). None of these courts  
2 is now a Constitutional court. Also  
3 mentioned in testimony was a Housing  
4 Court. Juvenile jurisdiction is pre-  
5 sently granted the Circuit Courts ex-  
6 cept in Montgomery County. Code (1957)  
7 Art. 26, Secs. 51, 80. The Tax Court  
8 is an administrative agency. Art. 81,  
9 Sec. 248. No Maryland Court of  
10 Claims presently exists. The Housing  
11 Court of Baltimore County is created  
12 by Art. 52, Sec. 25E. The Committee  
13 is firmly of the view that a prolifera-  
14 tion of Constitutional courts for  
15 special purposes is undesirable.  
16 Hence, all the above Delegate Proposals  
17 were rejected by the Committee.  
18

19 This is not to say that the Com-  
20 mittee conceives as unimportant the  
21 types of cases handled by such courts.  
22 But it does believe that proper assign-  
23 ment of jurisdiction to the Superior  
24 Court and the District Court (with the  
25 use of functional divisions where ap-  
26 propriate, as discussed below) will en-  
27 able all such matters to be handled ef-  
28 fectively while at the same time keeping  
29 the court structure simple, efficient  
30 and uniform. In addition, where such  
31 matters can be more effectively handled  
32 through administrative agencies, the  
33 Legislature will be free, as at present,  
34 to establish them. The vesting of the  
35 judicial power exclusively in the four  
36 courts does not prevent the exercise  
37 of quasi-judicial power by administra-  
38 tive agencies.  
39

40 For similar reasons, the Committee  
41 does not recommend the continuance of  
42 Orphans' Courts as separate Constitu-  
43 tional courts. Few of the witnesses ap-  
44 pearing before the Committee urged that  
45 these courts be retained in their pre-  
46 sent form. A typical comment was that  
47 the Orphans' Court in its present form  
48 was "cumbersome, anachronistic and un-  
49 necessary". The great majority of those  
50



1 discussing the subject before the Committee  
2 urged the abolition of the Orphans' Court  
3 as a separate court.

4  
5 All Orphans' Courts have three judges.  
6 Maryland Constitution, Art. IV, Sec. 40.  
7 In most jurisdictions, except Baltimore  
8 City, these judges are laymen. In 1966,  
9 the "caseloads" in these courts ranged from  
10 a high of 2,458 in Baltimore City to a low  
11 of 68 in Queen Anne's County. However,  
12 most of these estates involved only adminis-  
13 trative matters, handled routinely by the  
14 various Registers of Wills. In 1966,  
15 cases actually contested in the Orphans'  
16 Courts ranged from 267 in Baltimore City  
17 to none in each of Calvert, Caroline,  
18 Garrett, Howard, Somerset, Wicomico and  
19 Talbot Counties. During the same period,  
20 cases sent from the Orphans' Courts to  
21 the Circuit Courts for ultimate decision  
22 by trial amounted to a maximum of eleven  
23 in Baltimore City. In eight jurisdictions,  
24 there were no such cases in 1966.

25  
26 In short, the bulk of probate work,  
27 while important in nature, is adminis-  
28 trative in character. Those few es-  
29 tates involving actual litigation should  
30 be handled by fully-qualified full-time  
31 judges, just as other litigated matters  
32 are. There is no justification for re-  
33 taining, as part of the Constitutionally-  
34 established judicial system, a separate  
35 Orphans' Court staffed for the most part  
36 by lay judges, sitting perhaps once a  
37 week for the purpose of signing routine  
38 orders.

39  
40 For these reasons, and because a  
41 cumbersome system of courts leads to  
42 the inefficient use of judicial man-  
43 power, and to confusion and the waste  
44 of time, effort and money on the part  
45 of litigants and their lawyers, the  
46 Committee recommends the four-tier court  
47 structure set forth in Section 5.01.  
48 Under the proposed merger of Orphans'

49  
50





1 Courts into the Superior Court, as a court  
2 of general jurisdiction, a Probate Division  
3 could be administratively established when  
4 justified by case volume.  
5

6       Section 5.02. This section, like the  
7 present Constitution, establishes the Court  
8 of Appeals as the highest court of Maryland.  
9 Under the present Constitution the Court of  
10 Appeals has only appellate jurisdiction.  
11 Section 5.02, as contained in Delegate Pro-  
12 posal 5, would have granted this court "the  
13 jurisdiction prescribed by law" thus in  
14 theory permitting the Legislature to give  
15 the court both appellate and original juris-  
16 diction. The Committee is of the view that  
17 the Court of Appeals, as the highest State  
18 court, should handle appellate matters as  
19 under the present Constitution. It does  
20 not favor the concept that the General  
21 Assembly should be permitted to extend  
22 original jurisdiction to this court, there-  
23 by possibly seriously interfering with the  
24 discharge of the court's appellate func-  
25 tions. Therefore, it is recommended that  
26 the Court of Appeals have "the appellate  
27 jurisdiction prescribed by law and the  
28 original jurisdiction prescribed by this  
29 Constitution". This would encompass pro-  
30 visions similar to those in the Commis-  
31 sion's draft under which the highest  
32 court would review districting and appor-  
33 tionment plans adopted by the Legislature  
34 and would determine the existence of a  
35 vacancy in the office of governor or lieu-  
36 tenant governor, and "all questions aris-  
37 ing under...[the Executive Branch] Article  
38 concerning the right to office or the ex-  
39 ercise of powers thereof". (Draft, Secs.  
40 3.03; 4.09). There is also our proposal  
41 in Section 5.25 for original jurisdiction  
42 in the removal or retirement of judges.  
43

44       The Committee draft of Section 5.02  
45 necessarily rejects the jurisdictional  
46 portions of Delegate Proposal 417.  
47  
48  
49  
50



1 Except as noted above, the Committee's  
2 recommended Section 5.02 does not differ  
3 from the Section as set forth in Proposal 5.  
4

5 Section 5.03. Except for the change in  
6 the name of the court, and the use of the  
7 term "judges" instead of "justices", this  
8 section is identical to Section 5.03 as con-  
9 tained in Proposal 5. Like Art. IV, Sec.  
10 14 of the present Constitution, it estab-  
11 lishes a high court of seven judges with  
12 a quorum of five. Since the court may sit  
13 en banc or in panels, the present Constitu-  
14 tional provisions regarding the details of  
15 the present "7-5" system are omitted as  
16 more appropriate for handling by rule or  
17 by law. No place of sitting is specified,  
18 as presently required. Provisions as to  
19 qualifications, appointment, election,  
20 tenure and compensation of the judges  
21 are contained in Sections 5.12-5.21 of  
22 the Committee Recommendation.  
23

24 The Committee believes the term "jus-  
25 tice", used in Proposal 5, to distinguish  
26 the members of this court from the members  
27 of the other courts in the judicial system,  
28 is less desirable than the traditional  
29 Maryland designation "judge". Moreover,  
30 the use of the word "judge" throughout  
31 avoids a drafting problem, since it per-  
32 mits the use of a generic term.  
33

34 The section specifies that the court  
35 shall consist of seven judges, because  
36 this is thought to be the largest feasible  
37 number for a court of last resort. Such a  
38 court should not decide cases that lay  
39 down the law of Maryland by less than a  
40 majority of the whole court. For this rea-  
41 son, our proposal continues the provision  
42 of the present Constitution, requiring  
43 the concurrence of four judges, even if  
44 the court sits in divisions of five.  
45

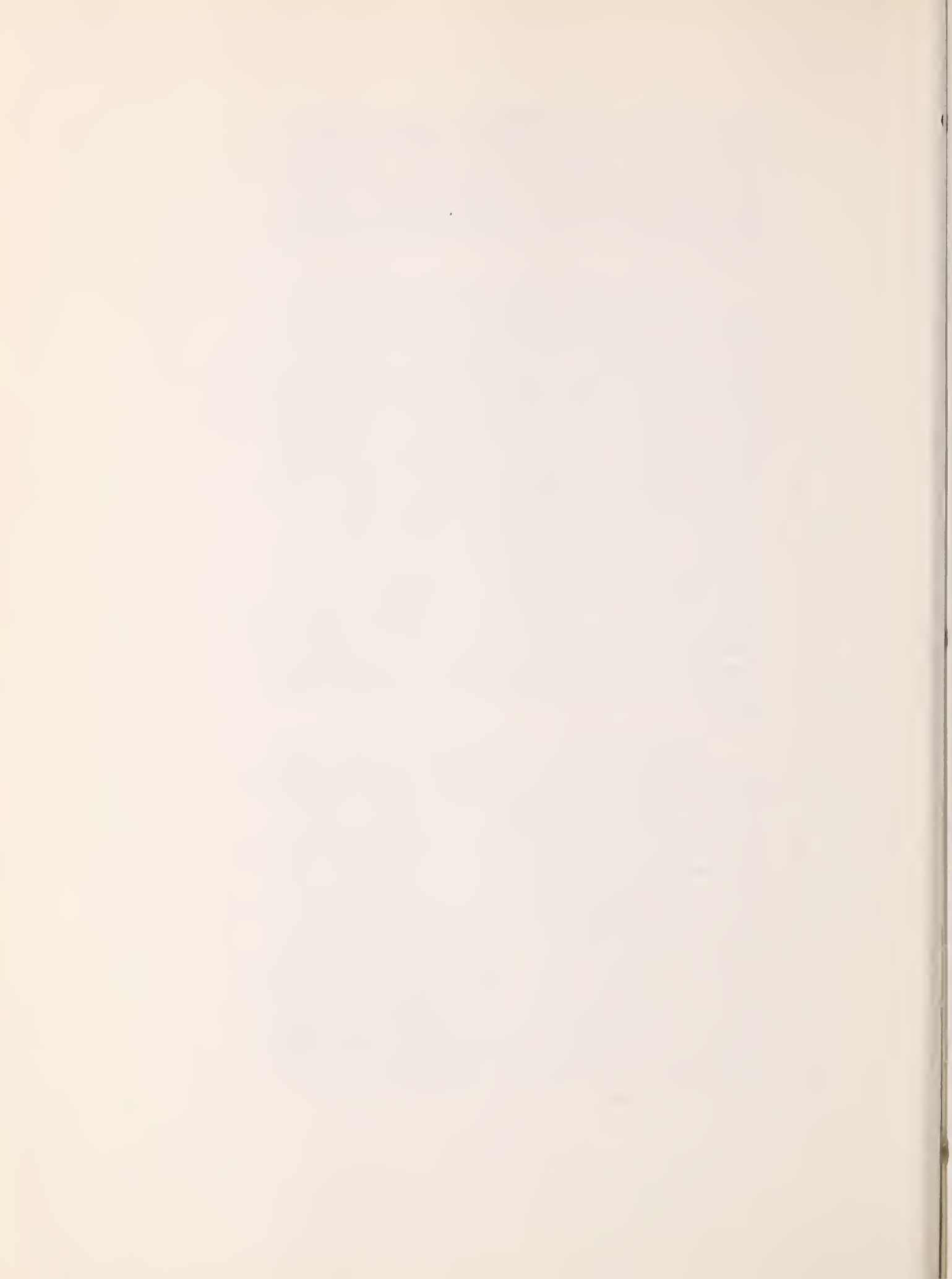
46 Delegate Proposal 413, which would  
47 have required two laymen to sit as members  
48 of the Court of Appeals, was rejected by  
49 the Committee. The Committee does not  
50 favor the concept of lay judges at any



1 court level. The Committee also consid-  
2 ered unfavorably Delegate Proposal 417,  
3 which (among other things) would have re-  
4 quired the concurrence of five, rather  
5 than four judges, in the decision of Con-  
6 stitutional issues. The Committee does  
7 not recommend such a provision in the Con-  
8 stitution.

9  
10 Section 5.04. As under Article IV,  
11 Section 14 of the present Constitution,  
12 Section 5.04 provides for designation of  
13 the chief judge of the Court of Appeals  
14 by the governor. Like Section 5.04 of Pro-  
15 posal 5, the Committee's recommended sec-  
16 tion contains express provision for devolu-  
17 tion of the duties of the chief judge in  
18 his absence, or when the office is tempor-  
19 arily vacant. This is important, because  
20 of the extensive administrative duties con-  
21 ferred upon the chief judge by other sec-  
22 tions of the Committee Recommendation.  
23 Except for some clarification of the cir-  
24 cumstances under which the senior associ-  
25 ate judge may exercise the powers of the  
26 chief judge, as under the present Constitu-  
27 tion, and for an express statement that the  
28 governor may appoint a new chief judge if  
29 a vacancy exists, the Committee's Recommen-  
30 dation is similar to Section 5.04 of Pro-  
31 posal 5.

32  
33 Section 5.05. This section, as does  
34 the same section in Proposal 5, gives the  
35 Intermediate Appellate Court such jurisdic-  
36 tion as it may be granted by law. While  
37 it is probable that the Legislature will  
38 initially give this court the jurisdiction  
39 now exercised by the Court of Special Ap-  
40 peals (chiefly non-capital criminal cases)  
41 it is felt that there should be a great  
42 degree of flexibility as to the jurisdic-  
43 tion of this court. It may well be that  
44 in the future, civil cases will be assigned  
45 to it. In addition, there may be consider-  
46 able scope for grants of original jurisdic-  
47 tion. For example, it has been suggested  
48 that such matters as disbarment proceedings  
49 and review of criminal sentences might be  
50





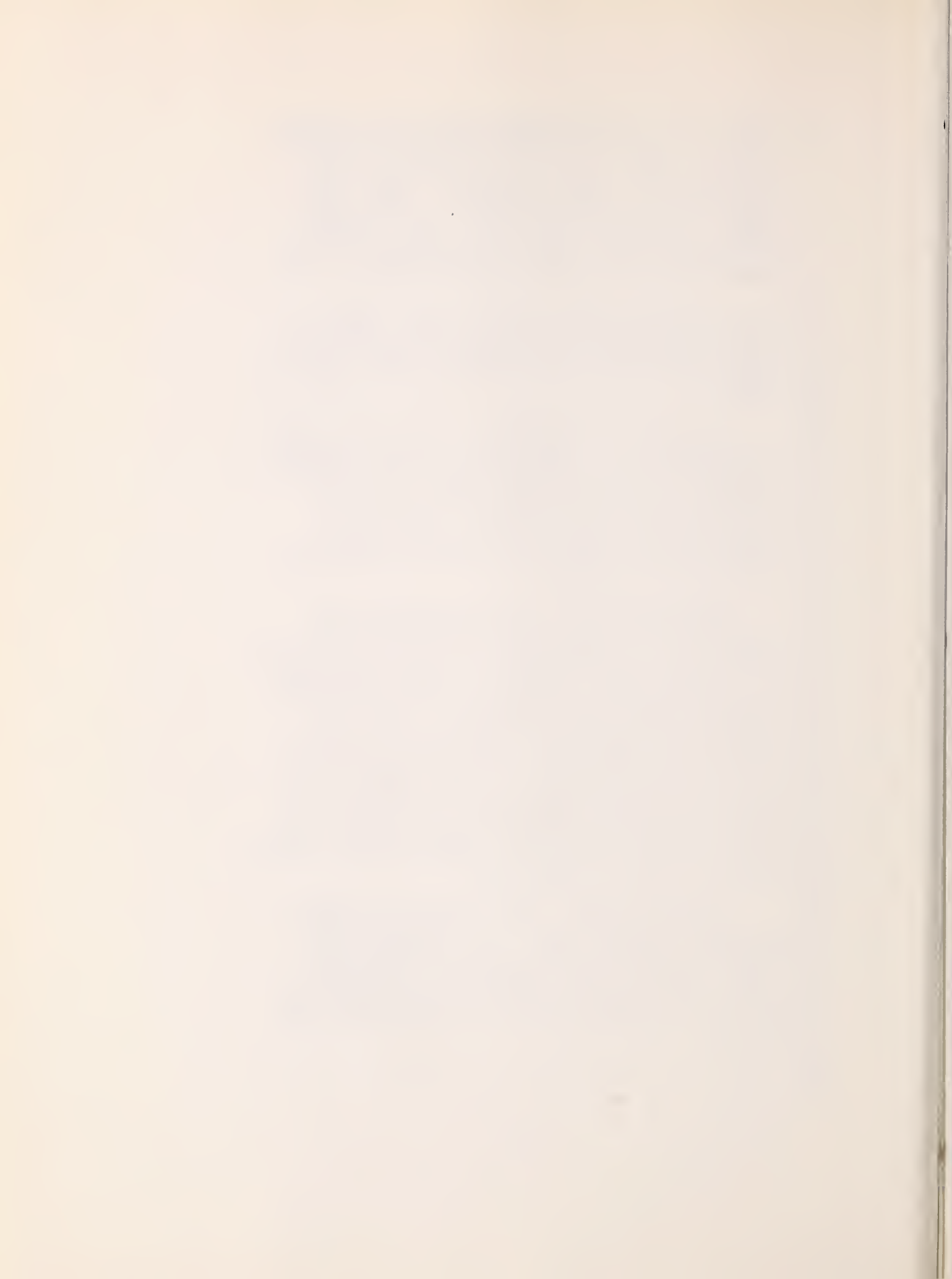
1 heard in the Intermediate Appellate Court.  
2 Since the number of judges may be increased,  
3 and the court may sit in divisions (see  
4 Section 5.06) such additions to jurisdic-  
5 tion would be quite feasible. Thus, the  
6 Committee contemplates that, unlike the  
7 Court of Appeals provisions, the Constitu-  
8 tion should not limit the granting of both  
9 appellate and original jurisdiction.

10  
11 Delegate Proposal 272 which would re-  
12 quire correctional classification of per-  
13 sons sentenced to more than 60 days was not  
14 considered to be of constitutional signifi-  
15 cance.

16  
17 The name "Intermediate Appellate Court"  
18 is thought to be descriptive of the court's  
19 functions (more so than "Courts of Special  
20 Appeals", in view of possible grants of  
21 non-criminal jurisdiction). Use of the  
22 term "Intermediate" will eliminate any  
23 likelihood of confusion of this court with  
24 the Court of Appeals.

25  
26 Section 5.06. The Intermediate Ap-  
27 pellate Court is initially composed of 5  
28 judges and is authorized to sit in divisions  
29 of no fewer than 3 judges. The Legislature  
30 may increase the number of members of this  
31 court as may prove necessary. Since the  
32 statutes relating to jurisdiction of this  
33 Court will undoubtedly provide for review  
34 at least on certiorari by the Court of Ap-  
35 peals, the possibility of decisions in di-  
36 visions of less than a majority of the en-  
37 tire court did not seem inappropriate. The  
38 present Court of Special Appeals is not auth-  
39 orized to sit in divisions.

40  
41 Section 5.07. This section provides  
42 for the Superior Court. It replaces the  
43 existing Circuit Courts and the Supreme  
44 Bench and six other courts in Baltimore  
45 City. Jurisdiction shall be as prescribed  
46 by law, but must be uniform throughout the  
47 State.



1        Section 5.08. The Superior Court shall  
2 be composed of the number of judges, allo-  
3 cated among the counties, prescribed by law,  
4 but at least one Superior Court judge shall  
5 be resident in each county, as is true today.

6  
7        Except as to the Court of Appeals, where  
8 the number of judges is fixed by Constitution,  
9 the Committee has recommended that the number  
10 of judges be determined by law. This was the  
11 approach of Delegate Proposal 5. Delegate  
12 Proposal 127 would have required a certifi-  
13 cation of need by the Chief Judge of the  
14 Court of Appeals before any additional judge-  
15 ship could be created by law. The Committee  
16 does not believe that a constitutional limi-  
17 tation on legislative power is necessary and  
18 believes that, in practice, the General  
19 Assembly would rely heavily on the recommen-  
20 dation of the Chief Judge.

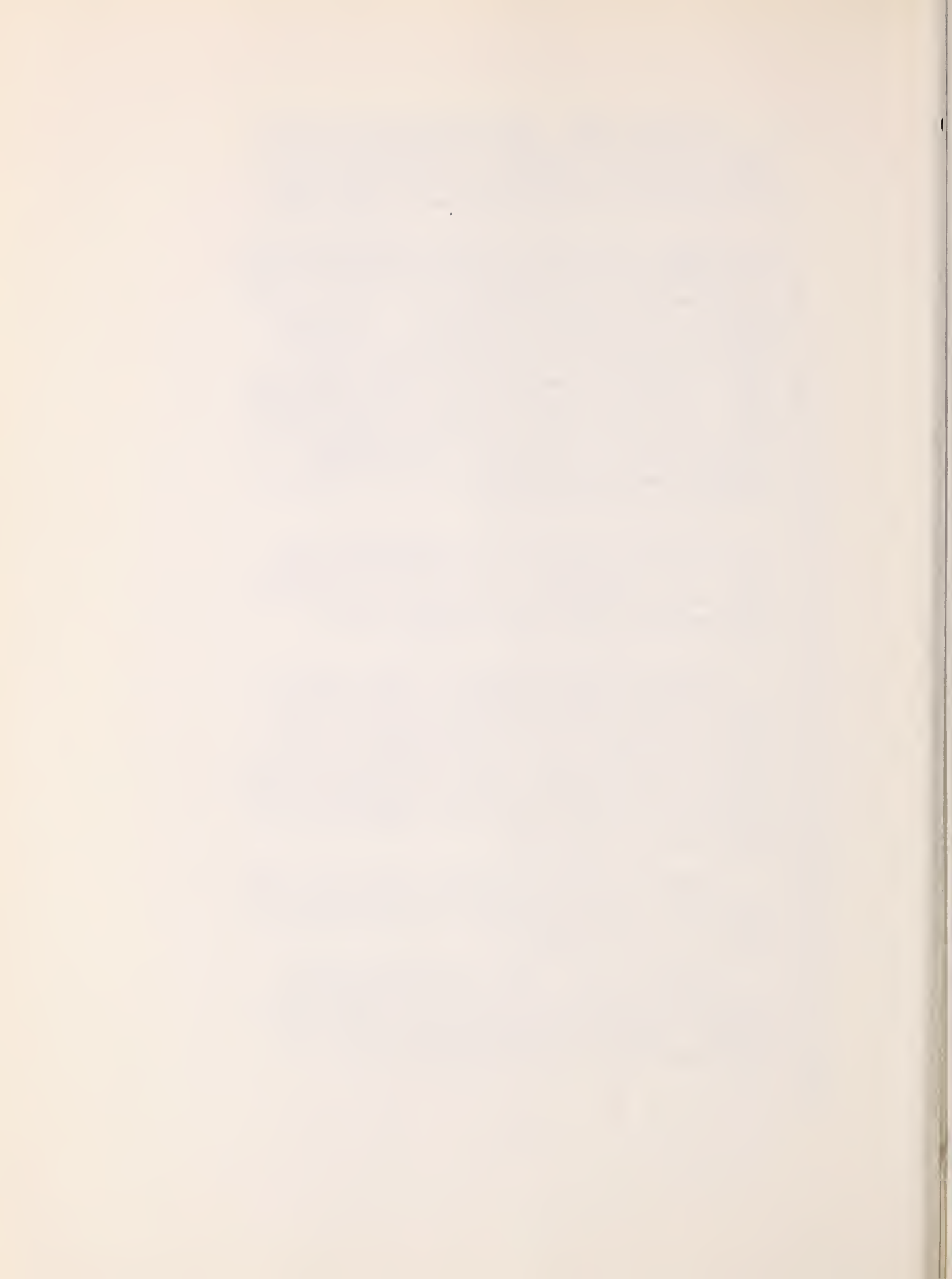
21  
22        Provision is made for functional divi-  
23 sions in any county, as prescribed by rule.  
24 Thus, the traditional divisions in Baltimore  
25 City may be preserved, as well as the differ-  
26 ence between Civil and Criminal Courts,  
27 existing in some of the counties.

28  
29        Sections 5.09 and 5.10. These describe  
30 the District Courts. Generally the forma-  
31 tion of districts consisting of one or more  
32 entire counties, and the allocation of the  
33 number of judges, in excess of one, for each  
34 district, are matters left to the Legislature.  
35 However, it is provided that in multi-county  
36 districts, if any, a District judge must sit  
37 regularly in each county.

38  
39        Since the term "District Court" was con-  
40 sidered to be more descriptive, Delegate Pro-  
41 posal 115, which suggested the name "People's  
42 Court", was not approved.

43  
44        Section 5.11. This section provides  
45 for Commissioners to take the place of the  
46 existing Committing Magistrates. Their dut-  
47 ies are limited in the section and may be  
48 exercised only as prescribed by rule.

49  
50



1       Commissioners are not granted any power  
2 to issue search warrants.

3  
4       Their numbers and qualifications are to  
5 be prescribed by rule. Appointment by and  
6 service at the pleasure of the District Court  
7 judge removes Commissioners from gubernatorial  
8 appointment and makes them responsible to the  
9 Judiciary.

10  
11                   Sections 5.12-5.24.

12  
13                   SELECTION AND TENURE OF JUDGES

14  
15  
16       Except for the courts of limited juris-  
17 diction, where various methods are used,  
18 judges in Maryland are presently selected as  
19 follows: When a vacancy in the office occurs,  
20 the governor appoints a member of the Bar of  
21 Maryland to fill the vacancy. It is custom-  
22 ary, although not required, that the appoint-  
23 ment is made from a list submitted by a Bar  
24 Association. Such lists, frequently not iden-  
25 tical, are submitted by both State and local  
26 bar associations, as well as by organizations  
27 of lawyers having some common or mutual inter-  
28 est. The person appointed by the Governor  
29 then stands for election for the office at  
30 the first general election occurring at least  
31 one year after his appointment. In this elec-  
32 tion, others seeking the office may run  
33 against the incumbent. The person chosen in  
34 the election then serves as judge for a term  
35 of fifteen years. At the expiration of this  
36 term, assuming the incumbent has not reached  
37 the mandatory retirement age of seventy, the  
38 entire process is repeated.

39  
40       This system has been criticized as not  
41 necessarily producing the best available can-  
42 didates for judicial office. It exposes an  
43 incumbent judge, whose political activity is  
44 severely restricted by the Canons of Judicial  
45 Ethics, to partisan political attack. With-  
46 out disparaging the quality of our many excel-  
47 lent Maryland judges, it is nevertheless al-  
48 most universally conceded that many of our  
49 best-qualified lawyers decline to resign the  
50





1 benefits of an active practice and to expose  
2 themselves to the vicissitudes of a one-sided  
3 political campaign, and test of popular ap-  
4 peal.

5  
6 Your Committee recommends a plan of ju-  
7 dicial selection embodying the essential  
8 characteristics of the "Missouri" plan. It  
9 is frequently called the American Bar Associ-  
10 ation or merit plan and in Maryland, the  
11 "Niles" plan. These proposals, in the form  
12 of a tentative draft of a Judicial Article  
13 by the Study Commission, were approved in  
14 principle by the State Bar Association, with-  
15 out a dissenting vote, at the mid-winter  
16 meeting in 1967.

17  
18 The salient elements of the plan we pro-  
19 pose are these:

20  
21 1. Gubernatorial appointment limited  
22 to a list of nominees submitted by nominat-  
23 ing commissions.

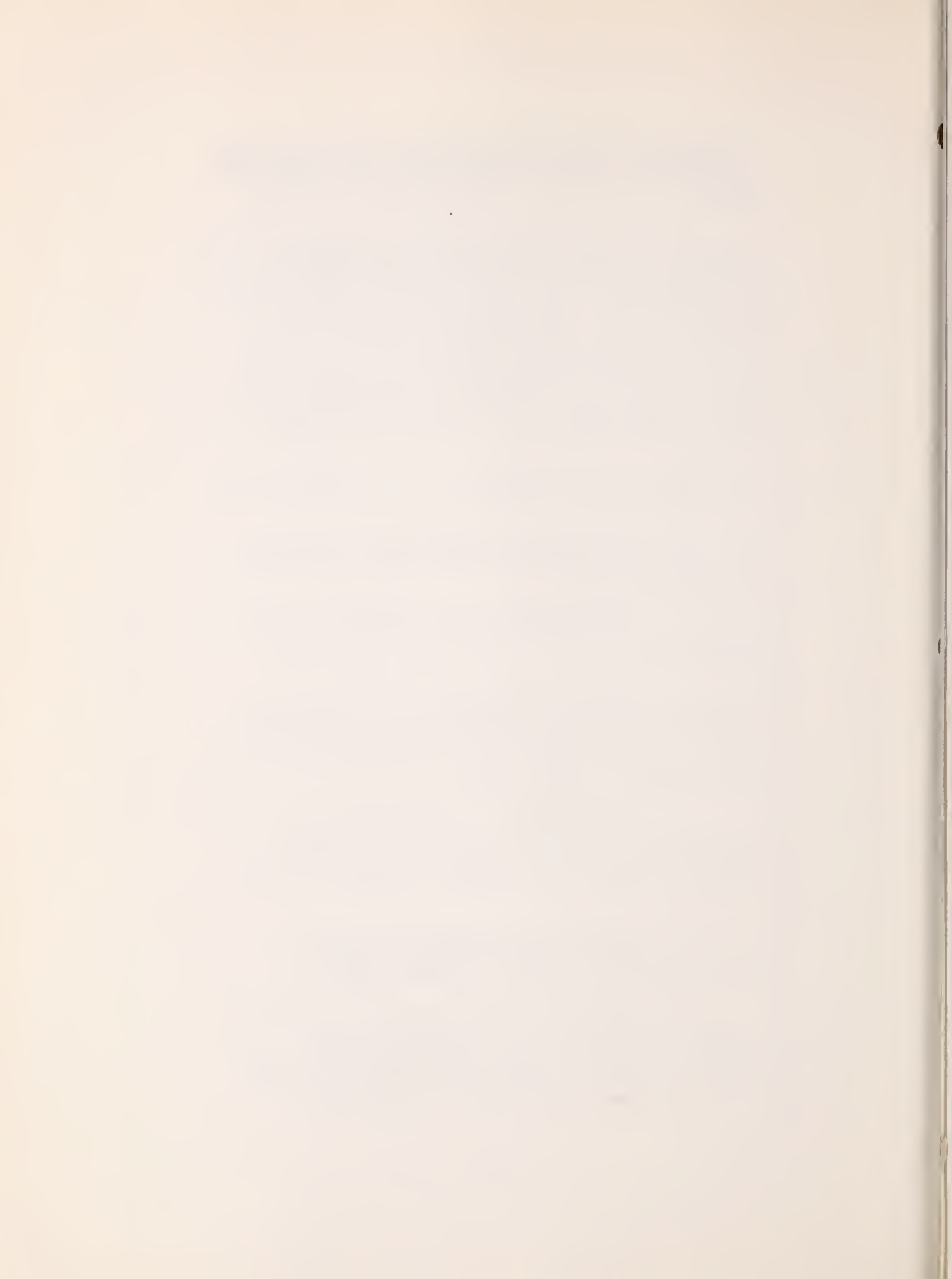
24  
25 2. The appointee runs against his re-  
26 cord after a probationary term, and after  
27 ten years.

28  
29 3. A poll of lawyers in the area in-  
30 volved is held on the question of retention  
31 of the judge who is about to stand for elec-  
32 tion, and the results are made public for  
33 the benefit of the voters.

34  
35 4. A commission is empowered to in-  
36 vestigate complaints of judicial conduct  
37 and disability, with hearing by the highest  
38 court on issues of removal, censure or re-  
39 tirement.

40  
41 5. Mandatory retirement at age  
42 seventy with temporary recall only with  
43 the concurrence of the highest court.

44  
45 Maryland has not been alone in moving  
46 towards adoption of the Missouri plan.  
47 Since 1934 when California became the first  
48 state to adopt a version of the plan as to  
49 some of its courts, twelve other states  
50



1 have taken similar action. Nine states have  
2 adopted some form of the plan since 1956.  
3 Five states apply the plan either to all  
4 courts, to all courts of record, or to all  
5 appellate and trial courts of general juris-  
6 diction. Eleven states use the Nominating  
7 Commission system. Nine states also adopt  
8 the non-competitive election. In states  
9 utilizing these procedures, most especially  
10 Missouri, it is generally felt that the sys-  
11 tem has improved the quality of the judiciary.  
12

13 Use of the Missouri plan is recommended  
14 at all court levels, without exception. "No  
15 considerations of logic or policy justify...  
16 diverse methods of selecting judges for dif-  
17 ferent courts in different communities.  
18 Clearly preferable is a uniform method of  
19 selecting judges in all courts in all parts  
20 of the State".\*  
21

22 It is the Committee's firm conclusion  
23 that the essential features of the plan  
24 will improve judicial selection in Maryland.  
25 There will be broader participation of the  
26 lawyers in judicial selection through the  
27 election of lawyer members of nominating  
28 commissions by their fellow lawyers. At the  
29 present time the members of a bar associa-  
30 tion judiciary committee, which by practice  
31 submits to the governor a list of attorneys  
32 recommended for judicial office, frequently  
33 are simply appointed by the president of the  
34 bar association. Further, participation of  
35 laymen on the nominating commissions will  
36 recognize the interest of the public as a  
37 whole in selection of the best qualified  
38 available person. Use of a constitutionally  
39 created, standing commission on nominations,  
40 the members of which are restricted from  
41 holding office during, and for a period fol-  
42 lowing their service on the commission,  
43 should tend to make the members of such a  
44 commission more independent of political  
45

46  
47 \* Institute of Judicial Administration,  
48 Survey of the Judicial System in Mary-  
49 land, 36 (1967).  
50



1 pressure from the governor than a bar asso-  
2 ciation committee. Inclusion of a judge  
3 on the commission makes available in the  
4 deliberations the viewpoint of one in an  
5 excellent position to evaluate the rela-  
6 tive professional merits of persons being  
7 considered. Finally, unlike the present  
8 bar list practice, the governor would be  
9 constitutionally restricted to appointing  
10 from the list of no more than 5 names sub-  
11 mitted by the appropriate nominating com-  
12 mission.

13  
14 Of course, the selection plan must  
15 be supplemented by provisions as to tenure,  
16 compensation and the like. The Committee  
17 proposes a ten-year term for all judges,  
18 with mandatory retirement at age seventy,  
19 subject to limited provisions for temporary  
20 recall of selected retired judges.

21  
22 While the "Missouri" plan is designed  
23 to give a judge a certain security in of-  
24 fice, it is desirable to counter-balance  
25 this with an effective procedure for the  
26 removal or discipline of an unfit judge  
27 and for the retirement of one who has be-  
28 come disabled. This has been done in Sec-  
29 tions 5.21-5.28.

30  
31 In view of the non-competitive elec-  
32 tion feature, the Committee proposes a  
33 term of 10 years, in lieu of the 15 year  
34 term under the present Constitution. Un-  
35 like Delegate Proposal 5, the Committee  
36 recommends that the poll of lawyers and  
37 publication of the results thereof be man-  
38 datory. With these features it is be-  
39 lieved that the judge who should not be  
40 retained in office will have a very real  
41 contest in running against his record.

42  
43 For the forgoing reasons, a majority  
44 of the Committee does not recommend Dele-  
45 gate Proposals No. 155, providing for the  
46 appointment of judges by the governor with  
47 the advice and consent of the Senate; No.  
48 156 providing for the composition of nomi-  
49  
50





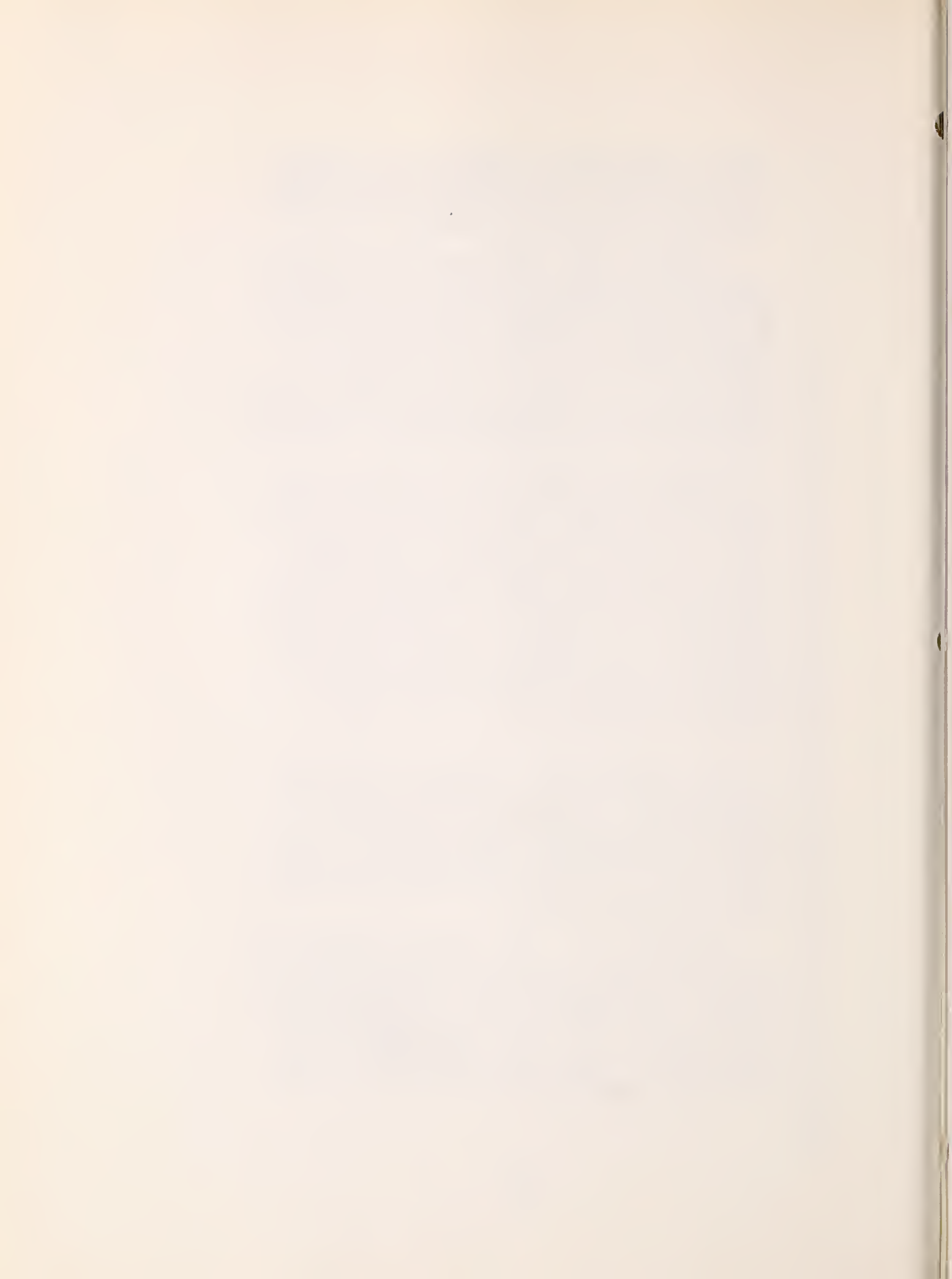
1 nating commissions by law; No. 157 provid-  
2 ing for unrestricted appointment of judges  
3 by the governor; and No. 354 providing for  
4 competitive election of judges.

5  
6       Section 5.12. This section, like that  
7 contained in Delegate Proposal 5, provides  
8 for the division of the State into circuits  
9 of the Court of Appeals, and of the Inter-  
10 mediate Appellate Court. The General  
11 Assembly would determine the geographical  
12 make-up of the circuits. The purpose of the  
13 provision is to insure that there be a geo-  
14 graphical basis for appointment of appellate  
15 judges, as is presently the case.

16  
17       Several of those who came before the  
18 Committee suggested that there was no reason  
19 for insisting upon geographical representa-  
20 tion on the appellate courts, but rather  
21 that the judges of these courts should be  
22 selected from among the best-qualified law-  
23 yers, wherever resident. However, it is the  
24 Committee's view that it is desirable that  
25 appellate court members be drawn from vari-  
26 ous parts of the State. This is and has  
27 been the Maryland tradition and gives to  
28 the collective judgment of this court a  
29 proper diversity.

30  
31       No provision for circuits is made at  
32 the trial court level. Neither the court  
33 structure nor the selection procedure of  
34 the proposed Article require the use of cir-  
35 cuits. The residence requirements of Sec-  
36 tion 5.13 will insure that judges at this  
37 level are appointed from the areas in which  
38 they will generally sit.

39  
40       Section 5.13. This section establishes  
41 uniform minimum standards of eligibility for  
42 nomination and appointment to any judicial  
43 office. The Committee sees no justification  
44 for departure from these standards at any  
45 court level. It is also felt that the re-  
46 quirement of State citizenship for a mini-  
47 mum period is desirable.



1       The requirements of Section 5.13 exceed  
2 those of the present Constitution, which re-  
3 quires five years citizenship, but no partic-  
4 ular length of service at the Bar. The sec-  
5 tion calls for not less than five years at  
6 the Bar prior to appointment. The minimum  
7 age requirement (30 years) of the present  
8 Constitution is omitted as unnecessary.

9  
10       Appellate court judges must reside with-  
11 in the circuit in which a vacancy exists, to  
12 be eligible for selection. Superior Court  
13 judges and District Court judges must reside  
14 in the county or district, respectively,  
15 where the vacancy exists.

16  
17       In the case of the Superior Court, the  
18 Committee has adopted the philosophy of Dele-  
19 gate Proposal 105 by deleting a part of Dele-  
20 gate Proposal 5 which would have permitted  
21 appointment of a Superior Court judge who  
22 either resides or practices in the county  
23 where the vacancy exists. The Committee  
24 feels that a residence requirement for a  
25 trial judge is not unreasonable, and that  
26 eligibility through practice would produce  
27 an unnecessary complication.

28  
29       Sections 5.14-5.20. These sections deal  
30 with the nominations for judicial office by  
31 nominating commissions and with the composi-  
32 tion of the commissions. The sections are  
33 rather specific and self-explanatory.

34  
35       Section 5.14 sets the stage for nomina-  
36 tion and selection by providing for a list of  
37 from two to five names. This follows the Com-  
38 mission draft. Under Section 5.15, the appel-  
39 late courts nominating commission is to be  
40 composed of 6 lawyers, 6 laymen and one judge.  
41 The terms of the members are to be 4 years.  
42 Under 5.16, there is provision for trial  
43 courts nominating commissions. Generally, and  
44 within specified limits, their composition and  
45 number are to be prescribed by law. In all  
46 nominating commissions it is required that  
47 there be an equal number of lawyers and laymen,  
48 and a judge. The lawyer members are to be  
49 elected by the lawyers and the laymen appointed  
50 by the governor. The judicial member is desig-



1 nated by the Court of Appeals for the ap-  
2 pellate commission and in the manner pro-  
3 vided by rule for the trial courts commis-  
4 sions. Section 5.20 provides certain rules  
5 for the action and disqualification of com-  
6 mission members. These commissioners re-  
7 ceive no compensation.

8  
9 Section 5.21. This section sets forth  
10 the 10-year term of office of a judge, and  
11 provides for non-competitive elections. It  
12 also calls for the mandatory poll of the  
13 Bar, by secret ballot.

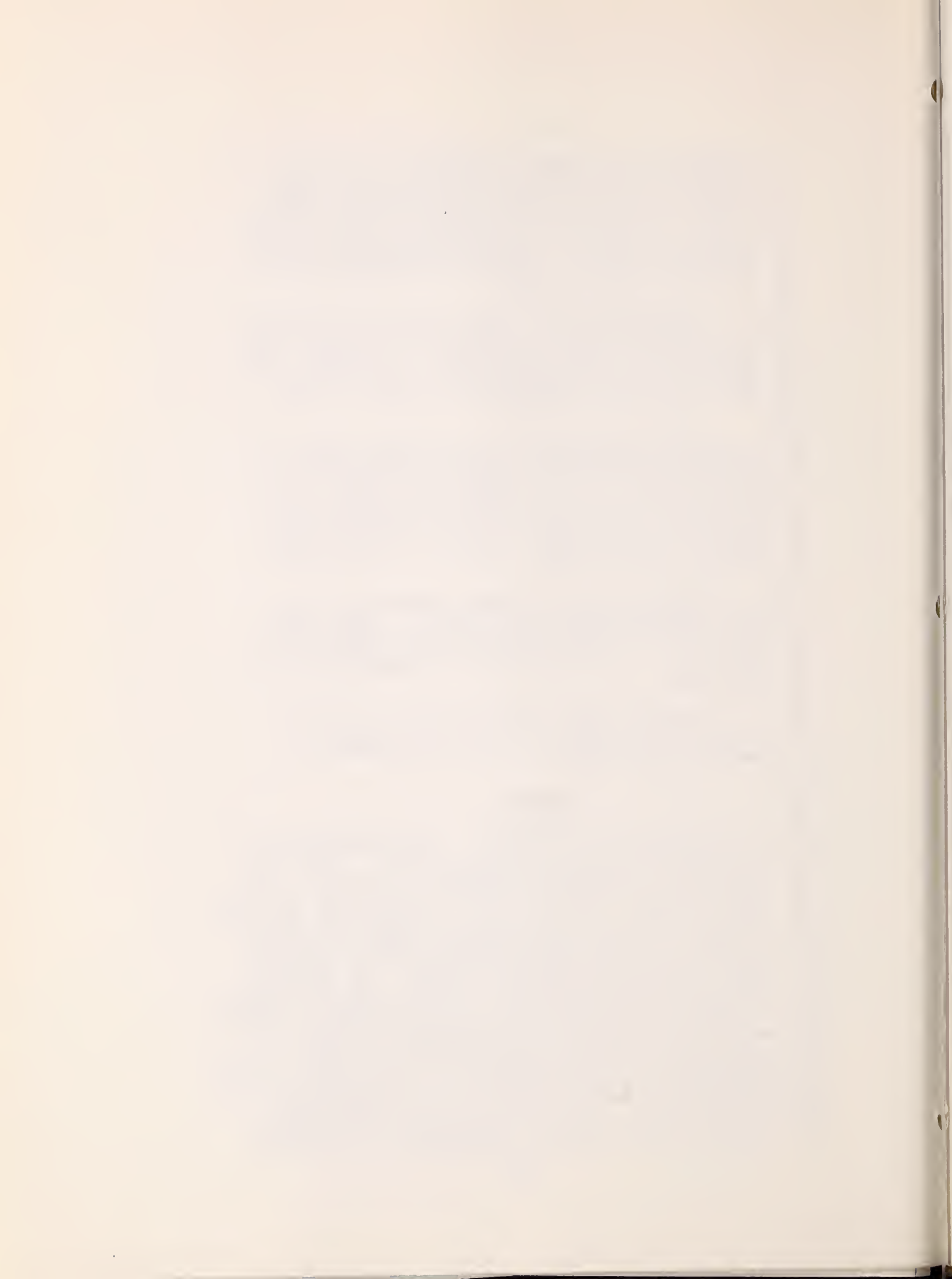
14  
15 Section 5.22. This section calls for  
16 mandatory retirement of each judge at age  
17 seventy, but for his temporary recall with  
18 the approval of the Court of Appeals. The  
19 temporary assignment of retired appellate  
20 and of retired trial judges, at all levels,  
21 would be permitted.

22  
23 Section 5.23. These provisions deal  
24 with compensation and pension. They follow  
25 the lines of the present Constitution, but  
26 expressly prohibit local supplementation in  
27 any form.

28  
29 Section 5.24. This imposes restric-  
30 tions on non-judicial activities and is  
31 self-explanatory.

#### 32 33 REMOVAL

34  
35 Sections 5.25-5.28. These adopt what  
36 is known as the "California" plan. They are  
37 based upon Delegate Proposals 5 and 101. The  
38 provisions modify a system established in Mary-  
39 land in 1966. Under Art. IV, Secs. 4A and 4B  
40 of the Maryland Constitution there is a Com-  
41 mission on Judicial Disabilities to investi-  
42 gate complaints against judges. If the Com-  
43 mission believes removal is justified it makes  
44 a recommendation to the General Assembly, which  
45 may order removal or retirement by vote of  
46 two-thirds of the members of each House. This  
47 procedure is really similar to impeachment and  
48 legislative address and is too cumbersome to  
49 be effective. We do not propose to do away  
50 with the Legislative prerogative of impeach-





1 ment but simply to provide a means, by trial  
2 before the highest court, for the Judiciary  
3 to discipline or retire its members.  
4

5       The Commission set up by these sections  
6 will have broad investigative authority, and  
7 will be able to call judges before it, not  
8 only to determine their disabilities, prelimi-  
9 nary to retirement, but to bring in question  
10 any and all conduct, on or off the bench, cal-  
11 culated to bring the administration of justice  
12 into disrepute. This covers a wide range  
13 without attempting to define specific conduct  
14 as was done in Delegate Proposal 381. It is  
15 anticipated that almost all matters coming  
16 before the Commission will be disposed of at  
17 that level, without hearing before the Court  
18 of Appeals. We are told that in California,  
19 over a period of years, 20 judges have re-  
20 signed rather than face trial or disciplinary  
21 charges.  
22

23       Although there was some difference of  
24 opinion in the Committee, the highest court  
25 is given the right to censure, in addition  
26 to the right to remove or retire, but the  
27 draft provides that only cases warranting re-  
28 moval or retirement are referable to the  
29 Court. The proceedings before the Commission  
30 are confidential, but there is not, and could  
31 not properly be, a requirement that they be  
32 kept confidential, in the event of referral  
33 for trial.  
34

35       The composition of the Commission, as  
36 spelled out in Section 5.26, follows in every  
37 particular except size, the California prece-  
38 dent. No judge of the highest court can be  
39 a member of the Commission since trials take  
40 place before that court, but there are judges  
41 from the 3 other levels, together with a law-  
42 yer and a layman appointed by the Governor.  
43

#### 44                   ADMINISTRATION

45

46       Section 5.29. This provides, as does the  
47 present Constitution, that the chief judge of  
48 the Court of Appeals shall be the administra-  
49 tive head of the judicial system. The subject  
50



1 section combines the matter contained in Sec-  
2 tions 5.26 and 5.27 of Delegate Proposal 5.  
3 The chief judge of the Court of Appeals is  
4 given the authority to appoint the chief  
5 judges of the three lower levels, to whom he  
6 may assign administrative functions.  
7

8 Contrary to Delegate Proposal No. 5, the  
9 Committee concluded that the Constitution  
10 should not require that the chief judge of  
11 the District Court report to the chief judge  
12 of the Superior Court. It was felt that the  
13 nature of the problems which are special to  
14 the District Court level made it inappropriate  
15 to mandate that the chief judge of the Superior  
16 Court be the administrative judge for the Dis-  
17 trict Court.  
18

19 It may be noted that the duties of ad-  
20 ministration, particularly in connection  
21 with budgetary matters, maintenance, etc.  
22 will be greatly increased under the new sys-  
23 tem. We have added a clause authorizing the  
24 chief judge to designate administrative judges,  
25 as prescribed by rule. In other words, the  
26 authority now possessed by the chief judge  
27 under existing rules of the Court of Appeals,  
28 to name an administrative judge other than  
29 the chief judge, is continued, and the pos-  
30 sibility of need for additional administra-  
31 tive judges is provided for. In the last sen-  
32 tence, the power of the chief judge to assign  
33 judges to sit temporarily in any court is  
34 somewhat restricted by putting it in the  
35 power of the whole court to take away the  
36 power of assignment, in case of abuse. This  
37 was one of many instances in which a majority  
38 of the Committee recognized, and sought to  
39 meet, the criticism that too much power was  
40 granted to a single individual, in the person  
41 of the chief judge.  
42

#### 43 CLERKS OF COURT

44

45 Section 5.30. The Committee readily  
46 agreed that the chief clerk of the State-  
47 wide courts at each level should be appointed  
48 by the respective chief judges. It was also  
49 agreed that there be a clerk of the Superior  
50



1 Court and the District Court in each county,  
2 and that the appointment and terms of the  
3 clerks of the District Court should be gov-  
4 erned by rule. Nowhere in the State is  
5 there an elective clerk at the lower level,  
6 and in most instances these officials are  
7 appointed by the court they serve, particu-  
8 larly in the People's Courts recently set  
9 up. The Committee debated at some length,  
10 however, over the status of the clerks at  
11 the Superior Court level, who are elected  
12 under the present Constitution.  
13

14 Of grave concern to a substantial num-  
15 ber of the Committee is that the existing  
16 Clerks of Court at this level perform a  
17 variety of non-judicial services. They  
18 collect taxes for the State (as do the  
19 Registers of Wills), they operate on a fee  
20 basis, i.e., their salaries and expenses  
21 are paid out of the receipts of the office,  
22 and the balance remitted to the Comptroller.  
23 They issue a wide variety of licenses, they  
24 perform marriages, they keep the land re-  
25 cords (the Registers of Wills keep the Will  
26 records). Over the years, they have ac-  
27 quired still other duties, too numerous  
28 to mention. Only a part of their activi-  
29 ties involve the keeping of dockets and  
30 the scheduling of hearings, which are the  
31 strictly judicial aspects of court adminis-  
32 tration.  
33

34 Some members of the Committee favored  
35 a division of these responsibilities and  
36 the appointment of the official to perform  
37 the judicial aspects of the present posi-  
38 tion, as is the case in the courts at the  
39 other levels. The majority report includes  
40 a special provision providing that they  
41 should be "selected as prescribed by law".  
42 This would leave it to the Legislature to  
43 determine whether to continue the clerks  
44 as elected officials, or to make them ap-  
45 pointed and to determine by whom the ap-  
46 pointment should be made. It is contem-  
47 plated that under the transitory provisions  
48 no elected official will be ousted from  
49 his office until his term expires or the  
50 Legislature has had an opportunity to act.





1 It is also contemplated that an orderly trans-  
2 fer of responsibility to the new court struc-  
3 ture will require liberal use of the deputies  
4 and appointees of the elected clerks. It is  
5 possible that changes made in other parts of  
6 the new Constitution, incident to a shifting  
7 of State and local functions, or inter-depart-  
8 mental changes, may permit or require some  
9 shifting of personnel.

10  
11 In the meantime, the Committee feels that  
12 even if the Legislature should continue the  
13 Clerks of the Superior Court as elected offi-  
14 cials, this would not be an unworkable arrange-  
15 ment. Perhaps a special deputy could be as-  
16 signed to handle the judicial duties. We be-  
17 lieve this matter can be ultimately resolved  
18 between the Judicial and Legislative Branches.  
19 As in the case of the rule-making power in  
20 Section 5.31, we have faith in the workability  
21 of concurrent jurisdiction, at least in some  
22 fields.

23  
24 At this point it may be proper to observe  
25 that while sheriffs are no longer included in  
26 Article V, they will be provided for in a  
27 transitory provision, giving the Legislature  
28 something of a local option as to retention  
29 and method of selection. Here, also, sheriffs  
30 in some counties perform police and other func-  
31 tions, distinct from process-serving. The ul-  
32 timate distribution of functions, we think,  
33 can be left to accomodation between the Legis-  
34 lative and Judicial Branches. Delegate Pro-  
35 posals 262, for the election of Sheriffs as  
36 Constitutional officers, and 290, by which  
37 the functions and method of selection of this  
38 office would be delegated to the counties,  
39 were not approved.

#### 40 41 42 RULE-MAKING POWER 43

44 Section 5.31. The rule-making power of  
45 the Maryland Court of Appeals was conferred  
46 by Sec. 18 of Art. IV of the 1867 Constitu-  
47 tion, so far as appeals and quity procedure  
48 were concerned. It was enlarged by legislative  
49 Act in 1939, and by the adoption of Art. 18A  
50 in 1944, to include practice and procedure in



1 all the courts, and it was declared that  
2 such rules should "have the force of law un-  
3 til rescinded, changed or modified by the  
4 Court of Appeals or otherwise by law".  
5 This was interpreted to mean that the court  
6 shared the authority with the Legislature,  
7 and in practice any conflict has been re-  
8 solved by consultation and agreement. This  
9 arrangement is continued in the present pro-  
10 posal. It is often difficult to draft legis-  
11 lation which is purely substantive and in no  
12 way procedural. While theoretically the  
13 authority to repeal a rule, or to repeal a  
14 statute, on the same subject might result  
15 in an endless chain, in practice over the  
16 past 22 years it has been found that the  
17 court has yielded in cases where some policy  
18 decision was involved, and the Legislature  
19 has recognized in other cases the superior  
20 expertise of the standing Committee on Rules  
21 appointed by the court consisting of 16 judges  
22 and lawyers. In fact, the Legislature has  
23 sometimes referred matters to the Rules Com-  
24 mittee, and vice versa. Over the past 22  
25 years an entire volume of rules on practice  
26 and procedure has been adopted by the court,  
27 pursuant to some 30 separate reports of  
28 this Committee.

29  
30 The only new matters dealt with in  
31 the present proposal are the admission of  
32 persons to practice law and their disci-  
33 pline, that have been traditionally dele-  
34 gated to the court by the Legislature, and  
35 the administration of the courts and their  
36 officers. Here again, the authority is  
37 shared with the Legislature. It should be  
38 noted that the clause contained in the Draft  
39 Constitution by which a subsequent rule ap-  
40 parently controlled over a prior statute,  
41 has been deleted.

42  
43 It is contemplated by your Committee,  
44 as it was by the proposed Draft, that Rules  
45 will provide for particular divisions of  
46 the trial courts to hear special types of  
47 cases, such as criminal, traffic, domestic  
48 relations, juvenile, general equity, admin-  
49 istrative appeals, and probate. Functional  
50 divisions are possible under Section 5.08.



1 Other rules would set the standards for hours  
2 of court, length of judicial vacations, con-  
3 duct of the clerks' offices, record keeping,  
4 and other matters. The assignment and duties  
5 of administrative and other judges, under  
6 Section 5.29, would be governed exclusively  
7 by rule.  
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Maryland Room  
University of Maryland Library  
College Park, Md.



# Constitutional Convention

## MINORITY REPORT NO. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN, KAHL,  
MURPHY, SIEWIERSKI, RUSH

OF THE COMMITTEE ON JUDICIAL BRANCH

Maryland Room  
University of Maryland Library  
College Park, Md.

November 10 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. JB-1

### TITLE

1 A MINORITY REPORT concerning the Judicial  
2 Branch.

3  
4 This is a minority report, not a dissent.  
5 Committee members submitting this report sup-  
6 port almost all the principal recommendations  
7 made in Committee Recommendation No. JB-1 by  
8 the Committee on the Judicial Branch. The  
9 minority departs from the Committee's recom-  
10 mendations primarily with respect to those pro-  
11 visions which appear inconsistent with the root  
12 philosophy of popular representative govern-  
13 ment.

14  
15 The minority endorses the idea of a unified  
16 judicial system for the state. Creation of a  
17 strong judicial branch will offer obvious ben-  
18 efits to residents of the state, but that  
19 branch must not become so self-contained and  
20 self-regulating that it is immune from checks  
21 and controls by the people or their chosen  
22 representatives.

23  
24 Several proposals in Committee Recommend-  
25 ation JB-1 are admirably designed to promote  
26 orderly, efficient and swift administration of  
27 justice. The minority believes that these

1 provisions for increased efficiency should  
2 be balanced with provisions promoting the  
3 accessibility and responsiveness of judic-  
4 ial officers to the people over whose lives,  
5 liberty and property they exercise such ex-  
6 traordinary power.

7  
8 Proposed changes in Recommendation JB-1  
9 of the Committee on the Judicial Branch  
10 follow, with each specific recommendation  
11 of the minority preceded by a brief explan-  
12 atory statement.

13  
14 Section 5.01. Judicial Power. This is  
15 the fundamental section of the article, and  
16 the wording employed should allow a degree  
17 of flexibility. The proposed change would  
18 leave the power of the legislature unim-  
19 paired to meet new needs and conditions  
20 without creating any danger to the unified  
21 judicial system.

22  
23 Requiring constitutional amendments for  
24 the creation of special courts as future  
25 needs may require seems unduly restrictive.  
26 Yet that is what an "exclusive" system will  
27 create. Under the recommendation contained  
28 in JB-1 such presently contemplated special  
29 courts as a tax court, labor court, or court  
30 of claims will have to await constitutional  
31 amendment. No less than 38 state constitu-  
32 tions provide for the establishment of the  
33 courts by law while only four state consti-  
34 tutions exclude that possibility. Allow-  
35 ing the opportunity for legislative crea-  
36 tion of "other courts" does not threaten  
37 the idea of a unified judicial system. The  
38 Committee carefully protected this system  
39 in sections 5.07 and 5.09 where it provided  
40 for "uniform jurisdiction" on the Superior  
41 Court and District Court levels respectively.  
42 We will therefore move to strike "exclusive"  
43 from section 5.01 and add a provision to  
44 allow the establishment of other courts that  
45 the legislature in its wisdom may create in  
46 time of need. The minority would prefer to  
47 see and recommends that the Judicial Power  
48 section read as follows:  
49  
50

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2 be balanced with provisions promoting the  
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43 from section 5.01 and add a provision to  
44 allow the establishment of other courts that  
45 the legislature in its wisdom may create in  
46 time of need. The minority would prefer to  
47 see and recommends that the Judicial Power  
48 section read as follows:



1 5.01 Judicial Power

2 The judicial power of  
3 the State is vested in a uni-  
4 fied judicial system composed  
5 of the Court of Appeals, the  
6 Intermediate Appellate Court,  
7 the Superior Court, the Dis-  
8 trict Court and other courts  
9 that may be provided by law.  
10

11  
12 Section 5.11 Commissioners. Sections  
13 5.08 and 5.10 provide that the number and  
14 allocation of Superior and District Court  
15 judges shall be prescribed by law. The min-  
16 ority believes that in the same way deter-  
17 mination of the number, qualifications,  
18 method of appointment, and term of office of  
19 commissioners is properly a legislative  
20 function. This proposal by which the judi-  
21 ciary (the term "by rule" means by the Court  
22 of Appeals) is given the exclusive and un-  
23 limited right to decide upon the number, lo-  
24 cation and qualifications of an entire class  
25 of court officers is without any precedent  
26 outside the federal judicial system. We are  
27 aware that Maryland is one of 28 states that  
28 permits the highest court to select its own  
29 clerks but we are greatly concerned about  
30 the proposed extension of this nonjudicial  
31 function.  
32

33 Equally objectionable to the minority is  
34 the power this section gives to district  
35 judges to appoint commissioners. The min-  
36 ority believes it is inappropriate to have  
37 judges dispensing jobs and offices of profit,  
38 particularly when there is no limitation on  
39 the power of the judge to hire and fire at  
40 his whim or pleasure. Even assuming, which  
41 we do, that district judges will probably  
42 discharge this function fairly and con-  
43 scientiously, they still may appear to the  
44 public as grantors of favors, subject to  
45 criticism for the manner in which this is  
46 done by disappointed applicants and others.  
47

48 Finally, it appears that if commission-  
49 ers are to be answerable only to the judges  
50 who appoint them, the whole burden of



1 constantly administering and superintending  
2 their activities must fall upon the district  
3 judge. This, added to the job of interview-  
4 ing, evaluating and finally selecting com-  
5 missioners, is yet one more administrative  
6 task drawing the judge away from his judicial  
7 duties. While we support the majority in its  
8 position to have the commissioners duties de-  
9 fined by rule (i.e. the court) we would pre-  
10 fer to see and strongly recommend to the Con-  
11 vention and the Committee of The Whole that  
12 section 5.11 be improved as follows:

13  
14 5.11 Commissioners

15  
16 The General Assembly  
17 may provide for commission-  
18 ers of the District Court.  
19 The number, qualifications,  
20 appointment, compensation  
21 and tenure of District Court  
22 commissioners shall be pre-  
23 scribed by law. Commission-  
24 ers may exercise powers only  
25 with respect to warrants of  
26 arrest, collateral and in-  
27 carceration pending hearing,  
28 and then only as prescribed  
29 by rule.  
30

31 Section 5.13. Eligibility for Appoint-  
32 ment as Judge.

33 Fully aware that the requirement of five  
34 years membership in the Bar will take care  
35 of most cases, the minority believes it is  
36 wise to maintain the minimum age (30 years)  
37 qualification. Many state constitutions do  
38 include minimum age as one of the stipulated  
39 requirements and several provide for age 30  
40 or older as a minimum age requirement.  
41 Maryland has traditionally held to age 30  
42 as a condition precedent to appointment as  
43 a judge so we propose to amend section 5.13  
44 of the majority recommendation accordingly.  
45

46 Section 5.14. Nomination and Appointment.  
47

48 A major difference between the majority  
49 and the minority of the Committee on the Judi-  
50 cial Branch revolves around nomination and



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13

14

#### 5.11 Commissioners

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#### Section 5.13. Eligibility for Appoint- ment as Judge.

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#### Section 5.14. Nomination and Appointment.

48

49

50

A major difference between the majority  
and the minority of the Committee on the Judi-  
cial Branch revolves around nomination and



1 appointment of judges. The minority favors  
2 the so-called "Missouri Plan" or "Niles Plan"  
3 substantially in the form in which it was  
4 first proposed in this state.

5  
6 Simply stated, the position of the min-  
7 ority is that the nominating commission pro-  
8 cedure for nomination and appointment of  
9 judges should be used only for judges of the  
10 appellate courts. The minority believes that  
11 the nature and function of trial courts (Sup-  
12 erior and District Courts under Committee  
13 Recommendation No. JB-1) is sufficiently dif-  
14 ferent from that of appeal courts to make  
15 necessary a different method of judicial se-  
16 lection. These are the visible judges. These  
17 are the judges with whom the people are in  
18 direct and immediate contact when they appear  
19 as litigants or witnesses. These judges,  
20 more than any others, are the judicial sys-  
21 tem to a vast majority of the citizenry.  
22 Employment of the nominating commission sys-  
23 tem on this level must almost necessarily  
24 leave many citizens with the feeling that  
25 they have no voice in selection of the only  
26 judges they ever see. In one sense this pop-  
27 ular impression as detected by the minority  
28 may be a substantially correct one. There is  
29 no stage in the process or manner in which  
30 nominating commissioners can be held account-  
31 able for their actions or decisions. The  
32 Governor, on the other hand, is currently  
33 solely responsible for his appointments and  
34 he must answer for his judicial selections.

35  
36 Compounding the obvious problems that a  
37 nominating commission will almost certainly  
38 generate is the real possibility that a  
39 Governor might "capture" trial court nomi-  
40 nating commissions without attracting too  
41 much unfavorable attention to his activities,  
42 given his initial power to appoint all lay  
43 members of such commissions. In such a sit-  
44 uation there would be no check at all on his  
45 activities, since he could shift a large  
46 share of the responsibility to the commis-  
47 sions and neither the bar associations nor  
48 the electorate is left any way of dealing  
49 with such a maneuver.  
50

1       The minority believes that the nominating  
2 commission procedure applied to trial courts  
3 takes from the citizens any and all effective  
4 control over a large and important group of  
5 public officials who must deal directly with  
6 the people in situations of maximum stress  
7 and difficulty.  
8

9       Two other observations should be made.  
10 If the nominating commission procedure is lim-  
11 ited to appellate courts, the number of nomi-  
12 nees may readily and properly be increased to  
13 "no fewer than three nor more than five eli-  
14 gible persons", since the minimum of "two"  
15 nominees recommended by the majority was meant  
16 to accomodate the trial courts nominating com-  
17 missions in the smaller counties.  
18

19       Finally, the minority recommends elimi-  
20 nation of the last sentence of proposed sec-  
21 tion 5.14. It is the most extraordinary con-  
22 stitutional draftsmanship to suggest that a  
23 governor may decline to do what the constitu-  
24 tion says he shall do. With this final sen-  
25 tence included, the section might be read to  
26 say that the governor has an option to select  
27 or not as he sees fit; that he may shift the  
28 responsibility of making a politically uncom-  
29 fortable choice to the chief judge. Such an  
30 event would, at the least be peculiarly embar-  
31 rassing to the nominees including the nominee  
32 subsequently selected by the Chief Judge. If  
33 the Committee of The Whole concurs with the  
34 arguments advanced by the minority then it  
35 will be necessary to revise the majority ver-  
36 sion of section 5.14 for the sake of consis-  
37 tency and clarity. We recommend the following:  
38

39                   5.14. Nominations and Appoint-  
40                   ments for Appellate  
41                   Courts  
42

43                   A vacancy in the office  
44 of Judge of the Court of Appeals  
45 and the Intermediate Appellate  
46 Court shall be filled by the  
47 Governor from a list of no few-  
48 er than 3 nor more than 5 eli-  
49 gible persons nominated by a  
50 judicial nominating commission.

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47                   Governor from a list of no few-  
48                   er than 3 nor more than 5 eli-  
49                   gible persons nominated by a  
50                   judicial nominating commission.







1 The Commission shall make nomina-  
2 tions to fill a vacancy not more  
3 than thirty days prior to nor more  
4 than sixty days after the occurrence  
5 of the vacancy. If the judicial  
6 nominating commission has not pre-  
7 sented its list of nominees to the  
8 Governor within sixty (60) days  
9 after the occurrence of the vacancy,  
10 the Governor may make an appoint-  
11 ment without the benefit of nomi-  
12 nations from the commission.

13  
14 Section 5.15. Appellate Courts Nominating  
15 Commission.  
16

17 There should be no judge of the Court of  
18 Appeals on this nominating commission. The  
19 minority is concerned that such a member will  
20 necessarily exercise exceptional influence not  
21 only on the lawyer members but also on the lay  
22 members of the commission. This is incompat-  
23 ible with the objective of an independent nom-  
24 inating commission. Certainly where a Court  
25 of Appeals Judge is involved in the selection  
26 process of another Court of Appeals judge, it  
27 is difficult to assume that he could approach  
28 such an assignment with complete detachment.  
29 He is involved in the selection of a colleague  
30 with whom he must work on the most intimate  
31 terms and in whose point of view he must ines-  
32 capably have an interest. Even if we assume  
33 the most complete detachment and objectivity  
34 on the part of a nominating judge, public un-  
35 certainty and criticism are almost sure to  
36 follow any nomination and appointment that de-  
37 monstrably alters the complexion or approach  
38 of the court on issues of great public inter-  
39 est. The minority does not believe that such  
40 a commission will be appreciably diminished in  
41 dignity or acceptability if a judge is not in-  
42 cluded. As a matter of fact, its public accep-  
43 tance is likely to be strengthened by this re-  
44 vision. The minority committee therefore rec-  
45 omends deleting the phrase "and one judge of  
46 the Court of Appeals" from the majority com-  
47 mittee recommendation JB-1 section 5.15.

48  
49 This committee is mindful that the Appel-  
50 late Courts nominating commission will consist

1 of an even twelve members but prefers the  
2 give and take an arrangement of this nature  
3 will produce to any other potentially weighted  
4 situation. The minority section 5.14 guards  
5 against any impasse in the commission since it  
6 enables the Governor to appoint any qualified  
7 person if he does not receive commission rec-  
8 ommendations within 60 days of the vacancy.  
9 We believe, however, that the commission will  
10 meet its responsibility.

11  
12 Approval by the Committee of The Whole and  
13 the Convention of the substance of the minor-  
14 ity's departure from the majority on trial  
15 courts nominating commission would permit the  
16 deletion of sections 5.16 and 5.19 from the  
17 judicial article and the trimming down, after  
18 retitling, of section 5.17 and 5.18 so that  
19 they would then read as follows:

20  
21 5.16. Lawyer Members of Appel-  
22 late Courts Nominating  
23 Commission.  
24

25 Lawyer members of the  
26 Appellate Courts Nominating Com-  
27 mission shall be elected by law-  
28 yers throughout the State in a  
29 manner prescribed by rule.  
30

31 5.17. Lay Members of Appellate  
32 Courts Nominating Com-  
33 mission.  
34

35 Lay members of the Appel-  
36 late Courts Nominating Commission  
37 shall be appointed by the Gover-  
38 nor from the qualified voters of  
39 the State.  
40

41 Section 5.21. Term of Office of Judge.  
42

43 The minority's position on this section (and  
44 related sections) is, of course, a correlative  
45 of its position with respect to nominating com-  
46 missions for trial courts. Even as the minority  
47 concurs in the use of nominating commissions as  
48 a procedure for selection of appellate court  
49 judges, it similarly registers no objection to  
50 the procedure whereby an appellate court judge,

1 of an even twelve members but prefers the  
2 give and take an arrangement of this nature  
3 will produce to any other potentially weighted  
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46 missions for trial courts. Even as the minority  
47 concurs in the use of nominating commissions as  
48 a procedure for selection of appellate court  
49 judges, it similarly registers no objection to  
50 the procedure whereby an appellate court judge,



1 subsequent to his appointment, runs for re-  
2 election against his record. For substantially  
3 the same reasons, however, the minority opposes  
4 use of the same procedure for reelection of  
5 trial court (Superior Court and District Court)  
6 judges. These are the judges in daily, inti-  
7 mate and immediate contact with the people.  
8 Election of these judges is public business of  
9 a different order than election of a relatively  
10 small number of judges on the Court of Appeals,  
11 limited to seven by the Constitution, and the  
12 Intermediate Appellate Court, currently five  
13 judgeships in number.

14  
15 Persons supporting the majority proposals  
16 with regard to the election of judges offer  
17 as the primary justification for their position  
18 that the very best men available are reluctant  
19 or unwilling to accept appointments knowing  
20 that they must shortly thereafter risk the  
21 hazards of the election process against anyone  
22 choosing to challenge them. It might be answer  
23 enough to point out that no persuasive evidence  
24 of this contention has been adduced. A number  
25 of knowledgeable persons, among them Court of  
26 Appeals Judge Wilson K. Barnes, have indicated  
27 forcefully that they do not believe this is  
28 true. Even assuming that somewhat better  
29 people might be available for trial judge  
30 positions under the proposed scheme, that gain  
31 must be weighed against the loss which must  
32 follow if the people feel (as we believe they  
33 will) that this constitutional provision takes  
34 something away from them--that they are being  
35 deprived of a voice in the management of their  
36 affairs that they have had in Maryland since  
37 1851 and believe they should continue to have.  
38 Running against a record is a viable proce-  
39 dure for appellate court judges whose work is  
40 scrutinized in newspapers and other news media.  
41 For trial-level judges, however, running against  
42 a record is an illusion of an election and is  
43 at the very least as susceptible of distortion  
44 and improper influences as running against an  
45 identifiable entity like another person. The  
46 minority believes that the Honorable Thomas  
47 Hunter Lowe, (Chairman, House Judiciary Com-  
48 mittee), was entirely correct when he test-  
49 ified before our committee that only the most  
50 vigorous campaign by newspapers and the bar



1 would be sufficient to defeat an unqualified  
2 judge running against his record. He doubt-  
3 ed that newspapers would always make the nec-  
4 essary effort with trial court judges and  
5 concluded that this would be an insufferable  
6 burden to place upon lawyers. To this we  
7 add the horror of a qualified and competent  
8 judge being swept out of office because Judge  
9 "what's his name" on the same election ballot  
10 did not have endorsement of a majority of law-  
11 yers polled in the pre-election voter guide  
12 (as proposed in Committee Recommendation JB-1,  
13 section 5.21, lines 43-50). Furthermore the  
14 minority is of the opinion that a substantial  
15 number of citizens consistently vote against  
16 "for or against" issues anyway but just as  
17 readily, and more intelligently we submit,  
18 vote for one candidate over another.

19  
20 Finally, the minority cannot dismiss the  
21 possibility that the proposed procedure  
22 might have an adverse effect on the attitude  
23 of the judges themselves. Nothing could be  
24 less desirable than encouraging in trial  
25 judges a diminution in the sense of respon-  
26 sibility to the people who appear before  
27 them as litigants, persons accused of crime,  
28 witnesses, and attorneys. This is not the  
29 case now. Why invite it?

30  
31 There is a middle ground which the minor-  
32 ity urges the Convention to consider. The  
33 virtues of the present system could be re-  
34 tained and the judgeships made quite attrac-  
35 tive under a system that included such el-  
36 ements as non-partisan elections, a longer  
37 initial appointment (as proposed by Commit-  
38 tee Recommendation JB-1 sec. 5.21), desig-  
39 nation of incumbents on the ballot, and an  
40 election process under which an appointee  
41 might run the first time in a competitive  
42 election and thereafter against his record.  
43 We would gladly include each and every one  
44 of these items in the Constitution but feel  
45 the matter is best left to the legislature  
46 for the sake of some flexibility. Essen-  
47 tially we have retained the long judicial  
48 terms peculiar to Maryland, altering only  
49 for the purpose of meeting biennial elec-  
50 tions. To that end we recommend that section



1 would be sufficient to defeat an unqualified  
2 judge running against his record. He doubt-  
3 ed that newspapers would always make the nec-  
4 essary effort with trial court judges and  
5 concluded that this would be an insufferable  
6 burden to place upon lawyers. To this we  
7 add the horror of a qualified and competent  
8 judge being swept out of office because Judge  
9 "what's his name" on the same election ballot  
10 did not have endorsement of a majority of law-  
11 yers polled in the pre-election voter guide  
12 (as proposed in Committee Recommendation JB-1,  
13 section 5.21, lines 43-50). Furthermore the  
14 minority is of the opinion that a substantial  
15 number of citizens consistently vote against  
16 "for or against" issues anyway but just as  
17 readily, and more intelligently we submit,  
18 vote for one candidate over another.

19  
20 Finally, the minority cannot dismiss the  
21 possibility that the proposed procedure  
22 might have an adverse effect on the attitude  
23 of the judges themselves. Nothing could be  
24 less desirable than encouraging in trial  
25 judges a diminution in the sense of respon-  
26 sibility to the people who appear before  
27 them as litigants, persons accused of crime,  
28 witnesses, and attorneys. This is not the  
29 case now. Why invite it?

30  
31 There is a middle ground which the minor-  
32 ity urges the Convention to consider. The  
33 virtues of the present system could be re-  
34 tained and the judgeships made quite attrac-  
35 tive under a system that included such el-  
36 ements as non-partisan elections, a longer  
37 initial appointment (as proposed by Commit-  
38 tee Recommendation JB-1 sec. 5.21), desig-  
39 nation of incumbents on the ballot, and an  
40 election process under which an appointee  
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42 election and thereafter against his record.  
43 We would gladly include each and every one  
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45 the matter is best left to the legislature  
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47 tially we have retained the long judicial  
48 terms peculiar to Maryland, altering only  
49 for the purpose of meeting biennial elec-  
50 tions. To that end we recommend that section



1 recommends that this section read as follows:

2

3

5.22. Retirement of Judges.

4

5

Each judge shall retire  
at the age of seventy.

6

7

8

Section 5.24. Restriction of Non-Judicial  
Activities.

9

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23

The minority believes that prohibiting judges from making "any contribution to... a political party or organization" is pointless; particularly in view of the fact that a judge is not prohibited from making contributions to candidates. An adverse effect of the proposed restriction might be the encouragement of deviousness in making such contributions. We are not concerned about the contributions a person willingly makes to the party of his choice after he becomes a judge. We propose to strike "any contributions to" from this section.

24

25

26

Section 5.26. Commission on Judicial  
Disabilities.

27

28

29

30

31

32

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34

35

36

37

This commission should include two lawyers and two laymen. A commission so composed is better capable of an objective, dispassionate attitude toward a very difficult job. A free discussion and exchange of opinions is more likely to occur than when one lawyer and one layman serve with three judges. We shall move to strike "one" lay member and lawyer and insert "two" of each by way of an amendment.

38

39

40

41

Section 5.29. Administration of Judicial  
System.

42

43

44

45

46

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48

49

50

The position of the minority on this section, in summary, is that all chief judges should be appointed by the governor, and that they should continue in that capacity as long as they remain in said service on their respective courts in the same manner as the Chief Judge of the Court of Appeals. See majority report section 5.04.



1 5.21 of the majority report be revised, re-  
2 titled and adopted in the following form:

3  
4 5.21. Appointment and Term  
5 of Office of Superior  
6 Court and District  
7 Court Judges.  
8

9 A vacancy in the office  
10 of Judge of the Superior Court  
11 or District Court shall be fil-  
12 led by the Governor. At the  
13 next General Election follow-  
14 ing the expiration of one year  
15 from the date of appointment,  
16 each Judge of the Superior  
17 Court and District Court shall  
18 be subject to election by the  
19 electorate of the County or  
20 District where the office exists.  
21 Election for judges of the Sup-  
22 erior Court and District Court  
23 shall be held in a manner pre-  
24 scribed by law. The elected  
25 term of office of the Super-  
26 ior Court shall be 14 years and  
27 the elected term of office of  
28 the District Court shall be  
29 10 years.  
30

31 Section 5.22. Retirement of Judges.  
32

33 The minority endorses mandatory retirement  
34 at age 70 but opposes granting authority to  
35 recall retired judges for temporary duty.  
36 The minority is not at all sure what "tempor-  
37 ary" means in such a setting and also believes  
38 that by current standards 70 is old enough for  
39 retirement. The minority can also visualize  
40 difficult and embarrassing situations which  
41 might arise under the proposed section if a  
42 majority of the Court felt compelled to dis-  
43 approve a recommendation of the Chief Judge,  
44 together with the compounded problems the se-  
45 lection of one retired judge over another  
46 could produce. All of this plus pension and  
47 other compensation complications which might  
48 be encountered convince the minority that  
49 the provision is simply not worth the trouble  
50 it might cause. The minority therefore



1 recommends that this section read as follows:

2  
3 5.22. Retirement of Judges.

4  
5 Each judge shall retire  
6 at the age of seventy.

7  
8 Section 5.24. Restriction of Non-Judicial  
9 Activities.

10  
11 The minority believes that prohibiting  
12 judges from making "any contribution to... a  
13 political party or organization" is pointless;  
14 particularly in view of the fact that a judge  
15 is not prohibited from making contributions  
16 to candidates. An adverse effect of the pro-  
17 posed restriction might be the encouragement  
18 of deviousness in making such contributions.  
19 We are not concerned about the contributions  
20 a person willingly makes to the party of his  
21 choice after he becomes a judge. We propose  
22 to strike "any contributions to" from this  
23 section.

24  
25 Section 5.26. Commission on Judicial  
26 Disabilities.

27  
28 This commission should include two lawyers  
29 and two laymen. A commission so composed is  
30 better capable of an objective, dispassionate  
31 attitude toward a very difficult job. A free  
32 discussion and exchange of opinions is more  
33 likely to occur than when one lawyer and one  
34 layman serve with three judges. We shall  
35 move to strike "one" lay member and lawyer  
36 and insert "two" of each by way of an amend-  
37 ment.

38  
39 Section 5.29. Administration of Judicial  
40 System.

41  
42 The position of the minority on this sec-  
43 tion, in summary, is that all chief judges  
44 should be appointed by the governor, and that  
45 they should continue in that capacity as long  
46 as they remain in said service on their re-  
47 spective courts in the same manner as the  
48 Chief Judge of the Court of Appeals. See  
49 majority report section 5.04.



1       There is no need to concentrate this mea-  
2       sure of appointment power in the hands of the  
3       Chief Judge of the Court of Appeals. Indeed,  
4       the minority sees the possibility of positive  
5       disadvantages to the arrangement proposed.  
6       There must be a question whether the chief  
7       judges of the Intermediate Appellate Court,  
8       the Superior Court and the District Court  
9       will feel free to deal frankly and openly  
10      with one who may dismiss them from those  
11      positions at his pleasure. Also, the pro-  
12      posed arrangement raises the prospect of  
13      periodic house-cleanings--a complete turn-  
14      over of chief judges of all courts every  
15      time there is a change in the Chief Judge  
16      of the Court of Appeals.

17  
18      On the other side, the minority believes  
19      that placing appointment power in the Gov-  
20      ernor and providing security of tenure for  
21      the other chief judges will not handicap  
22      the Chief Judge of the Court of Appeals in  
23      the discharge of his administrative duties.  
24      He remains, by constitutional designation,  
25      the administrative head of the judicial  
26      system with attendant control and super-  
27      vision of all members of the system, and he  
28      retains his over-all power to coordinate  
29      efforts of all courts. In addition he is  
30      given power to designate administrative  
31      judges for all courts within the limits of  
32      the appropriate rules.

33  
34      For an orderly administration of the  
35      entire judicial system we recommend the  
36      appointment of chief judges be provided  
37      as set forth below:

38  
39                               5.29. Administration of  
40                               Judicial System.  
41

42                               The Chief Judge of  
43                               the Court of Appeals shall  
44                               be the administrative head  
45                               of the judicial system.  
46                               The Governor shall desig-  
47                               nate one Intermediate Ap-  
48                               pellate Court Judge, one  
49                               Superior Court Judge, and  
50                               one District Court Judge

1 do chief judges of their  
2 respective courts to per-  
3 form such duties in connec-  
4 tion with the administra-  
5 tion of the judicial system  
6 as the attorney general by the  
7 Chief Judge of the Court of  
8 Appeals. Each shall serve  
9 for the remainder of his  
10 term on the Court, or  
11 until he resigns the office  
12 of Chief Judge. Adminis-  
13 trative judges may be des-  
14 ignated as the Chief Judge  
15 of the Court of Appeals as  
16 designated by law. The  
17 Court of Appeals shall pro-  
18 vide by rule for the as-  
19 signment of any judge to  
20 sit temporarily in any  
21 court.

#### 22 Section 5.30. CLERKS OF COURTS

23  
24 There is not a great difference between  
25 the majority and minority positions with re-  
26 gard to clerks. The majority report (at p.  
27 22 line 14) offers a sampling of reasons for  
28 leaving the legislature free to make these  
29 positions of Superior Court clerks elective  
30 if it so decides and as recommended by United  
31 States Senator Joseph R. Tydings. And Ralph  
32 Shure of Montgomery County, the judges of the  
33 Supreme Bench of Baltimore City and many  
34 others. The minority report of the 10 to great-  
35 ly distinguish between the Superior Courts  
36 and the District Courts in this particular  
37 field which is analogous to the appointment  
38 of District Court commissioners previously  
39 commented upon in section 5.11 of this re-  
40 port. We do recommend "appointment" rather  
41 than election of District Court clerks but urge  
42 that this matter be left to the legislature  
43 thereby further protecting the judiciary  
44 from partisan pressures. There is ample  
45 evidence in the record of our committee that  
46 many judges do not want to get involved in  
47 Clerk appointments anyway. Our recommend-  
48 ation below, substantially in the same form,  
49 lost by a vote of 9 to 10 in our committee  
50

1 of their  
2 to the courts to per-  
3 for the courts in connec-  
4 tion with the administra-  
5 tion of the judicial system  
6 and to be appointed by the  
7 Chief Justice of the Court of  
8 Appeals. He shall serve  
9 for the remainder of his  
10 term on the Court, or  
11 until he resigns the office  
12 of Chief Judge. Adminis-  
13 trative duties may be des-  
14 ignated by the Chief Judge  
15 of the Court of Appeals as  
16 appropriate. The  
17 Court of Appeals shall pro-  
18 vide a rule for the as-  
19 signment of any judge to  
20 sit temporarily in any  
21 court.

22  
23 Section 5.30. Clerks of Court.  
24

25 There is not a sharp difference between  
26 the majority and minority positions with re-  
27 gard to clerks. The majority report (at p.  
28 22 line 14) offers a sampling of reasons for  
29 leaving the legislature free to make these  
30 positions of District Court clerks elective  
31 if it so desires. The following are cited by United  
32 States Senator Joseph R. Keefe and Ralph  
33 Shure of Montgomery, Alabama, the judges of the  
34 Supreme Bench of District of Columbia and many  
35 others. The first of these reasons is to great-  
36 ly distinguish between the District Courts  
37 and the District Court of Appeals. A particular  
38 field which is analogous to the appointment  
39 of District Court commissioners previously  
40 commented upon in Section 5.11 of this re-  
41 port. We do recommend "appointment" rather  
42 than election of District Court clerks but urge  
43 that this matter be left to the legislature  
44 thereby further protecting the judiciary  
45 from partisan pressures. There is ample  
46 evidence in the record of our committee that  
47 many judges do not want to get involved in  
48 Clerk appointments and the following recommenda-  
49 tion below, substantially as presented in form,  
50 lost by a vote of 9 to 8 in the full committee.



1 meeting of the Judicial Branch.

2  
3 Section 5. Clerks of  
4 Court.  
5

6 The Chief Judge of  
7 the Court of Appeals and  
8 the Chief Judge of the  
9 Intermediate Appellate,  
10 Superior and District Courts  
11 shall each appoint a chief  
12 clerk of his court who  
13 shall serve at the pleasure  
14 of the appointing judge.  
15 There shall be a Clerk of  
16 the Superior Court and of  
17 the District Court in each  
18 county. The Clerk of the  
19 Superior Court in each  
20 county shall be selected,  
21 compensated and have a  
22 term as prescribed by law.  
23 The appointment, compensa-  
24 tion and term of the Clerk  
25 of the District Court in  
26 each county shall be gov-  
27 erned by law. The Gen-  
28 eral Assembly may prescribe  
29 by law for deputy clerks  
30 in the office of the  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

1 Clerk of the Superior Court in  
2 each county upon certification  
3 of need from the Chief Judge of  
4 the Superior Court.  
5

6 Section 5.31. Rule-Making Power.  
7

8 The minority concurs with this section with  
9 the sole exception of the introductory phrase  
10 "Except as to matters specifically provided by  
11 this Constitution to prescribe by rule". This  
12 extends exclusive authority to the court in ap-  
13 pointments (Sec. 5.11 and Sec. 5.30 of Commit-  
14 tee Recommendation JB-1) and various quasi pro-  
15 ceedural matters (Sections 5.04, 5.08, 5.10,  
16 5.17, 5.19, 5.22, 5.25, 5.28 and 5.29 of Com-  
17 mittee Recommendation JB-1) in a manner not  
18 heretofore tolerated in any other state consti-  
19 tution. The minority sees no occasion for  
20 granting any exclusive rule-making authority, par-  
21 ticularly since every witness called to mind ac-  
22 cepted the concurrent legislative and court  
23 rule-making power we now have. The minority be-  
24 lieves the constitution should reflect the vir-  
25 tually unanimous opinion of lawyers and judges  
26 consulted, calling for concurrent rule-making  
27 power in all instances. To accomplish the de-  
28 sired result we shall move to strike the phrase  
29 "Except as to matters specifically provided by  
30 this Constitution to prescribe by rule" in the  
31 first sentence of this section.  
32

33 A section should be added to the judicial  
34 article to insure a right of removal. This  
35 right of removal is found in Article IV, Sec-  
36 tion 8 of the present Maryland Constitution  
37 and Rule 542 of the Maryland Rules of Procedure.  
38 Deleting it may suggest an intention to dimin-  
39 ish or downgrade this right. Eliminating some-  
40 thing previously included frequently appears to  
41 be a stronger action than failing to include  
42 something that never has been a constitutional  
43 provision. The minority would regret any ac-  
44 tion tending to minimize the importance of the  
45 right of removal of litigants and persons ac-  
46 cused of crime. We therefore recommend that  
47 the judicial article contain the following sec-  
48 tion.  
49  
50



1 Clerk of the Superior Court in  
2 each county upon certification  
3 of need from the Chief Judge of  
4 the Superior Court.

5  
6 Section 5.31. Rule-Making Power.

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9 the sole exception of the introductory phrase  
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11 this Constitution to prescribe by rule". This  
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25 tually unanimous opinion of lawyers and judges  
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45 right of removal of litigants and persons ac-  
46 cused of crime. We therefore recommend that  
47 the judicial article contain the following sec-  
48 tion.



1                   Section 5. . Right of Removal.

2  
3                   There shall be a right of re-  
4 removal in each case before the  
5 Superior Court and the District  
6 Court in a manner prescribed by  
7 rule or by law.  
8

9 Article IV Section 7 of our present constitution  
10 contains language restricting the judicial activi-  
11 ties of a judge. It states:

12  
13                   "Sec. 7. No judge shall sit in  
14 any case wherein he may be in-  
15 terested, or where either of  
16 the parties may be connected  
17 with him, by affinity or con-  
18 sanguinity, within such degrees  
19 as now are, or may hereafter be  
20 prescribed by law, or where he  
21 shall have been of counsel in  
22 the case."  
23

24                   For most of the reasons advanced for the in-  
25 clusion of a removal-of-case section above we  
26 urge the adoption of the following language which  
27 will serve as a mandate to the Court of Appeals to  
28 write its own conflict of interest rule.  
29

30                   Section 5. . Restriction of  
31                                   Judicial Activities.  
32

33                   No judge shall sit in any case  
34 wherein he shall have been of coun-  
35 sel in the case, or wherein he may  
36 have an interest in a case in such  
37 manner as shall be prescribed by  
38 rule, or where any of the parties  
39 to a case are related to him with-  
40 in such degrees as shall be pre-  
41 scribed by rule.  
42

43                   The majority recommendation JB-1 once again  
44 concurs with the commission draft in deleting the  
45 office of sheriff from the constitution. As in-  
46 dicated by the majority on page 23, lines 30-31  
47 of its committee memorandum "sheriffs in some  
48 counties perform police and other functions dis-  
49 tinct from process-serving."  
50

1 In the counties of Maryland where the ser-  
2 vices of a sheriff are required, (we figure  
3 eighteen counties) persuasive evidence has con-  
4 vinced the minority that the functions of this  
5 office are not only carried out in a most effi-  
6 cient manner but also with a spirit of dedica-  
7 tion to duty.

8  
9 The majority says only those counties that  
10 want a sheriff should have one. We agree, but  
11 prefer the matter be handled on a state wide  
12 basis so as to insure some central and perhaps  
13 uniform control of the sheriff's power and dut-  
14 ies; to guarantee payment of the local sheriff  
15 by the State so that the smaller counties will  
16 not be unreasonably taxed; and to avoid a pos-  
17 sible conflict with draft section 7.07 which  
18 precludes counties from exercising "judicial  
19 power".

20  
21 So with basically the same intent as the  
22 majority (this proposal also failed by a 9 to  
23 10 vote), and with an eye to the issue of  
24 local vs. general legislative power yet to be  
25 decided by the convention, we currently recom-  
26 mend that the constitution contain a section  
27 on the office of sheriff to read as follows:

28  
29 Section 5. . Sheriffs.  
30

31 The General Assembly may pro-  
32 vide by law for the office of a  
33 Sheriff in any county of this  
34 State. The selection, tenure,  
35 compensation, power and non-  
36 judicial duties of the Sheriff  
37 shall be prescribed by law. The  
38 General Assembly may provide by  
39 law for deputies of the Sheriff  
40 in each county. The judicial dut-  
41 ies of the office of Sheriff may  
42 be prescribed by rule.  
43

44 While the minority concurred (some reluc-  
45 tantly) with the majority on the abolition of  
46 the Orphans' Court we are acutely aware that  
47 this enlarging field of probate work requires  
48 expertise in the populous area where the case  
49 load is heaviest. Will all matters relating  
50 to estates be handled with the present degree

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2 vices of a sheriff are required, (we figure  
3 eighteen counties) persuasive evidence has con-  
4 vinced the minority that the functions of this  
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41 ies of the office of Sheriff may  
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47 this enlarging field of probate work requires  
48 expertise in the populous area where the case  
49 load is heaviest. Will all matters relating  
50 to estates be handled with the present degree







1 of efficiency when later absorbed by an already  
2 over-taxed Superior Court? We think not. We  
3 urge retention of the office of Register of  
4 Wills in those counties (and Baltimore City)  
5 where the absorption of the Orphans' Court work  
6 into the trial court level will impair the ad-  
7 ministration of justice. Chief Judge Daniel  
8 Friedman of the Orphans' Court of Baltimore  
9 City in supporting retention of the Register of  
10 Wills pointed out that an estimated 1200 statu-  
11 tory small estates and approximately 2500 tes-  
12 tate and intestate estates will probably be  
13 filed in Baltimore City for fiscal 1967. In  
14 addition it is estimated that the Baltimore  
15 City Orphans' Court alone will collect approxi-  
16 mately five million dollars in estate taxes,  
17 interest, fees and commissions this fiscal  
18 year. The Register of Wills is essential to  
19 this vast undertaking. We recommend a permis-  
20 sive constitutional provision to insure proper  
21 handling of this important quasi judicial  
22 function and urge adoption of the following  
23 section:

24  
25 Section 5. . Register of Wills.  
26

27 The General Assembly may pre-  
28 scribe by law for a Register of  
29 Wills in any county of this State.  
30 The selection, tenure and compen-  
31 sation of the Register of Wills  
32 shall be prescribed by law. The  
33 General Assembly may prescribe  
34 by law for clerks in the office  
35 of Register of Wills upon certi-  
36 fication of need from the Chief  
37 Judge of the Superior Court.  
38 The powers and duties of the Regis-  
39 ter of Wills shall be prescribed  
40 by rule.  
41  
42  
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45  
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49  
50

Maryland Room  
University of Maryland Library  
College Park, Md.

# Constitutional Convention

## MINORITY REPORT NO. JB-1 (B)

---

BY DELEGATES DULANY, BRADSHAW, HARGROVE,  
MARION

---

OF THE COMMITTEE ON THE JUDICIAL BRANCH

---

November 10 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

---

This Minority Report relates to Committee Recommendation No. JB-1

---

### TITLE

1 A MINORITY REPORT that Section 5.30 of the  
2 proposed Constitution provide for appoint-  
3 ment of all clerks of court by rule, to read  
4 as follows:

5  
6 Section 5.30. Clerk of Court.

7  
8 The chief judges of the Court of Appeals,  
9 and of the Intermediate Appellate, Superior  
10 and District Courts shall each appoint a chief  
11 clerk of his court who shall serve at the  
12 pleasure of the appointing judge. There  
13 shall be a clerk of the Superior Court and of  
14 the District Court in each county. Their ap-  
15 pointment and term shall be governed by rule.

16  
17 Comment:

18  
19 Section 5.30 of Committee Recommendation  
20 JB-1 provides that all clerks shall be appoint-  
21 ed, except for the clerk of the Superior Court  
22 in each county, who "shall be selected as pre-  
23 scribed by law." Under the Recommendation,  
24 the General Assembly could continue to provide  
25 for elected court clerks at the Superior Court  
26 level.

27

1       The proposed amendment would, in this  
2 respect, return to the approach of Section  
3 5.28 of the Commission Draft (and also of  
4 Delegate Proposal 5) under which all court  
5 clerks would have been appointed. This  
6 minority believes a system of appointed  
7 clerks of all levels is most desirable.

8  
9       A court clerk is an integral part of  
10 the administration of the judicial system.  
11 He should be appointed by and thus respon-  
12 sible to the courts whose duty is to insure  
13 efficient functioning of the judicial sys-  
14 tem. There is no justification for popular  
15 election of such an official, and exper-  
16 ience in courts having appointed clerks  
17 (the present Court of Appeals, Court of  
18 Special Appeals, and various Peoples' and  
19 Municipal Courts) indicates that the ap-  
20 pointive system works well.

21  
22       Actually, there was general agreement  
23 in the Committee that the clerks of the  
24 Court of Appeals, the Intermediate Appel-  
25 late Court, and the District Court should  
26 be appointed. Nor was there major dis-  
27 agreement that the Chief Clerk of the Sup-  
28 erior Court should be appointed. Substan-  
29 tial disagreement arose only with respect  
30 to the method of selecting clerks of the  
31 Superior Court for each county.

32  
33       The problem in this regard actually  
34 occurs because of the large number of non-  
35 judicial functions assigned to the present  
36 clerks at the Circuit Court level. In effect,  
37 other than the judges, the clerk of the  
38 Circuit Court is the highest State office-  
39 holder resident in each county.

40  
41       By a narrow majority, (10-8-1) the  
42 Committee agreed upon the compromise, now  
43 contained in Section 5.30. whereby the Leg-  
44 islature would determine the method of selec-  
45 tion of the Superior Court clerk in each  
46 county. But this merely sidesteps the issue.  
47 There is really no reason for election of a  
48 court clerk who will perform judicial func-  
49 tions only.

1       The proposed amendment would, in this  
2 respect, return to the approach of Section  
3 5.28 of the Commission Draft (and also of  
4 Delegate Proposal 5) under which all court  
5 clerks would have been appointed. This  
6 minority believes a system of appointed  
7 clerks of all levels is most desirable.

8  
9       A court clerk is an integral part of  
10 the administration of the judicial system.  
11 He should be appointed by and thus respon-  
12 sible to the courts whose duty is to insure  
13 efficient functioning of the judicial sys-  
14 tem. There is no justification for popular  
15 election of such an official, and exper-  
16 ience in courts having appointed clerks  
17 (the present Court of Appeals, Court of  
18 Special Appeals, and various Peoples' and  
19 Municipal Courts) indicates that the ap-  
20 pointive system works well.

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22       Actually, there was general agreement  
23 in the Committee that the clerks of the  
24 Court of Appeals, the Intermediate Appel-  
25 late Court, and the District Court should  
26 be appointed. Nor was there major dis-  
27 agreement that the Chief Clerk of the Sup-  
28 erior Court should be appointed. Substan-  
29 tial disagreement arose only with respect  
30 to the method of selecting clerks of the  
31 Superior Court for each county.

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34 occurs because of the large number of non-  
35 judicial functions assigned to the present  
36 clerks at the Circuit Court level. In effect,  
37 other than the judges, the clerk of the  
38 Circuit Court is the highest State office-  
39 holder resident in each county.

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41       By a narrow majority, (10-8-1) the  
42 Committee agreed upon the compromise, now  
43 contained in Section 5.30. whereby the Leg-  
44 islation would determine the method of selec-  
45 tion of the Superior Court clerk in each  
46 county. But this merely sidesteps the issue.  
47 There is really no reason for election of a  
48 court clerk who will perform judicial func-  
49 tions only.

50





1       The answer would seem to be to amend  
2 Section 5.30. to provide for appointed  
3 clerks at all levels, with the understand-  
4 ing that these clerks would perform only  
5 judicially-related duties.  
6

7       Should this amendment be adopted, the  
8 minority would hope that the Committee on  
9 Local Government would give favorable con-  
10 sideration to provision for an elected  
11 County Clerk in each County, as suggested  
12 by Delegate Proposal 290. This County  
13 Clerk would perform the numerous non-jud-  
14 icial functions now carried out by clerks of  
15 court.  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

Comm Rec  
JB-1

YEAS	N-V	NAYS
● President		
● Tawes		
● Clark, J.		
● James		
● Abramson		
● Adkins		
● Anderson		
● Armor		
● Bamberger		
● Bard		
● Barrick		
● Baumann		
● Beachley		
● Beall		
● Bennett		
● Blair		
● Boileau		
● Borom		
● Bothe		
● Boyce		
● Boyer		
● Boyles		
● Bradshaw		
● Bryson		
● Burdette		
● Burgess		
● Bushong		
● Buzzell		
● Byrnes		
● Caldwell		
● Cardin		
● Carson		
● Case		
● Chabot		
● Child		
● Cicone		

YEAS	N-V	NAYS
● Clagett		
● Clarke, E. J.		
● Cleveland		
● Dabrowski		
● Darby		
● Della		
● Dorsey		
● Dukes		
● Dulany		
● Eckenrod		
● Finch		
● Fornos		
● Fox		
● Frederick		
● Freedlander		
● Gallagher		
● Gilchrist		
● Gill		
● Gleason		
● Grant		
● Groh		
● Grumbacher		
● Gullett		
● Hanson		
● Hardwicke		
● Hargrove		
● Harkness		
● Harris		
● Henderson		
● Hickman		
● Hopkins		
● Hostetter		
● Hutchinson		
● Jett		
● Johnson		
● Kahl		

YEAS	N-V	NAYS
● Key		
● Kiefer		
● Kirkland		
● Koeger		
● Kosakowski		
● Koss		
● Leitzel		
● Linton		
● Lord		
● Macdonald		
● Malkus		
● Marion		
● Mason		
● Maurer		
● Mentzer		
● Miller, B.		
● Miller, E. T.		
● Mitchell		
● Morgan		
● Moser		
● Mosner		
● Mudd		
● Murphy		
● Murray, D. S.		
● Murray, E. C.		
● Needle		
● Neilson		
● Neumann		
● O'Connor		
● O'Connor Smith		
● Pascal		
● Penniman		
● Peters		
● Powers		
● Price		
● Pullen		
● Raley		

YEAS	N-V	NAYS
● Robey, F. C.		
● Robie, K. L.		
● Rollins		
● Rosenstock		
● Rush		
● Rybczynski		
● Scanlan		
● Schloeder		
● Schneider		
● Sherbow		
● Sickles		
● Siewierski		
● Singer		
● Smith, J. H.		
● Smith, M. H.		
● Sollins		
● Sosnowski		
● Soul		
● Stern		
● Storm		
● Sybert		
● Taylor, H. E.		
● Taylor, L.		
● Ulrich		
● Vecera		
● Wagandt		
● Webb		
● Webster		
● Weidemyer		
● Wheatley		
● White		
● Willis		
● Willoner		
● Winslow		

YEAS	N-V	NAYS
100-200	100-200	100-200
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2 2	2 2	2 2
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DEL. PRO.	COM. REC.	DATE:
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2000	200	3
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4000	400	2
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RESO.	600	4
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3-R.	800	6
QUO.	900	SEPT. 7
MOT.	000	OCT. 8
		NOV. 9
		DEC. 0



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Motion for Com  
to Rise*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Awes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson		•	Darby	•		Kosakowski		•	Rush		•
Adkins		•	Della	•		Koss		•	Rybczynski		•
Anderson		•	Dorsey	•		Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
Baumann		•	Fornos		•	Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason		•	Singer		•
Beall	•		Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. F.		•	Sosnowski		•
Borom		•	Gill		•	Mitchell		•	Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm		•
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy		•	Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris		•	Neumann	•		Webster		•
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
Caldwell		•	Hickman		•	Pascal		•	Wheatley		•
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson		•	Hostetter		•	Peters		•	Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1
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2 2	2 2	2 2	3000 300	30 3	1
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					NOV. 9
					DEC. 0





# Constitutional Convention

AMENDMENT NO. 3

To Accompany Minority Report No. JB-1

~~TOX AMENDMENT XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 1 in line 11 of Section 5.01  
2 Judicial Power strike out the word "ex-  
3 clusively"; and in line 14 after the word  
4 "Court" add the following:  
5  
6 "and other courts that may be provided by  
7 law".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 1*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		Robey, F. C.		•
Awes	•		Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger		•	Rosenstock		•
Abramson		•	Darby	•		Kosakowski		•	Rush	•	
Adkins		•	Della	•		Koss	•		Rybczynski	•	
Anderson		•	Dorsey	•		Leitzel		•	Scanlan	•	
Armor		•	Dukes	•		Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode	•		Macdonald		•	Sherbow		•
Barrick		•	Finch	•		Malkus	•		Sickles		•
Baumann		•	Fornos		•	Marion		•	Siewierski	•	
Beachley		•	Fox		•	Mason		•	Singer		•
Beall		•	Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.	•		Sollins		•
Boileau		•	Gilchrist	•		Miller, E. T.		•	Sosnowski	•	
Borom		•	Gill		•	Mitchell		•	Soul	•	
Bothe		•	Gleason	•		Morgan		•	Stern	•	
Boyce		•	Grant	•		Moser		•	Storm	•	
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles	•		Grumbacher	•		Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.	•		Vecera	•	
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness	•		Neilson		•	Webb	•	
Buzzell		•	Harris		•	Neumann	•		Webster	•	
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer	•	
Caldwell		•	Hickman		•	Pascal		•	Wheatley	•	
Cardin		•	Hopkins		•	Penniman	•		White		•
Carson		•	Hostetter	•		Peters	•		Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
Child		•	Johnson	•		Pullen		•			
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	• 1 1	1 1
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DEL. PRO.	COM. REC.
1000	100 10 1
2000	200 20 2
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JAN. 2
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6
SEPT. 7
OCT. 8
• NOV. 9
DEC. 0



AF  
Constitutional Convention

AMENDMENT NO. 2

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE CARSON

1 On page 1 Section 5.01 Judicial Power line 13,  
2 strike out the word "Superior" and insert in  
3 lieu thereof the word "County"; and

4  
5 In all other places where the term "Superior  
6 Court" appears in Article V insert in lieu  
7 thereof the term "County Court".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend ? to*  
*JB-1*

EAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key		•	Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J. •			Cleveland	•		Kirkland		•	Rollins		•
James		•	Dabrowski	•		Kozer		•	Rosenstock		•
Abramson		•	Darby		•	Kosakowski	•		Rush	•	
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey		•	Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode	•		Macdonald		•	Sherbow		•
• Barrick			Finch		•	Malkus	•		Sickles		•
Baumann		•	Fornos		•	Marion		•	Siewierski		•
Beachley		•	• Fox			Mason		•	Singer	•	
Beall	•		Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau	•		Gilchrist		•	Miller, E. •			Sosnowski		•
Borom		•	Gill		•	Mitchell		•	Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce	•		• Grant			Moser		•	Storm		•
Boyer		•	Groh		•	Mosner		•	• Sybert		
Boyles	•		Grumbacher	•		Mudd		•	Taylor, H. • E.		
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
• Burdette			Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess	•		Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris		•	Neumann	•		Webster		•
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
Caldwell		•	Hickman		•	Pascal		•	Wheatley		•
• Cardin			Hopkins		•	Penniman		•	White	•	
• Carson			Hostetter		•	Peters		•	• Willis		
• Case			Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
• 0 0	0 0	• 0 0
1 1	1 1	• 1 1 •
2 2	• 2 2 •	2 2
3 3	3 3	3 3
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DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
	500
RESO.	600
2-R.	700
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DATE: 1
JAN. 2
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6 •
SEPT. 7
OCT. 8
• NOV. 9
DEC. 0



AX

# Constitutional Convention

AMENDMENT NO. 3

~~XXXXXXXXXXXXXXXXXXXX~~ \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE STORM

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On page 1 in line 11 of Section 5.01  
Judicial Power strike out the word  
"exclusively".





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 3*  
*To JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		•	Robey, F. C.	
Tawes		•	Clarke, E. J.		•	Kiefer		•		Robie, K. L.	•
Clark, J.	•		Cleveland	•		Kirkland	•			Rollins	•
James		•	Dabrowski	•		Koger		•		Rosenstock	•
Abramson	•		Darby	•		Kosakowski		•	•	Rush	
Adkins		•	Della	•		Koss	•		•	Rybczynski	
Anderson			Dorsey	•		Leitzel	•		•	Scanlan	
Armor		•	Dukes		•	Linton		•	•	Schloeder	•
Bamberger		•	Dulany		•	Lord	•			Schneider	•
Bard		•	Eckenrode	•		Macdonald		•		Sherbow	•
Barrick		•	Finch	•		Malkus	•			Sickles	•
Baumann		•	Fornos		•	Marion		•		Siewierski	•
Beachley			Fox		•	Mason	•		•	Singer	
Beall	•		Frederick		•	Maurer		•		Smith, J. H.	•
Bennett			Freedlander		•	Mentzer	•			Smith, M. H.	•
Blair		•	Gallagher		•	Miller, B.	•			Sollins	•
Boileau	•		Gilchrist		•	Miller, E. Y.	•		•	Sosnowski	
Borom		•	Gill		•	Mitchell	•		•	Soul	
Bothe		•	Gleason		•	Morgan		•	•	Stern	
Boyce	•		Grant	•		Moser		•	•	Storm	
Boyer			Groh	•		Mosner		•		Sybert	•
Boyles	•		Grumbacher	•		Mudd		•		Taylor, H. E.	
Bradshaw		•	Gullett	•		Murphy	•		•	Taylor, L.	
Bryson		•	Hanson		•	Murray, D. S.		•		Ulrich	•
Burdette			Hardwicke		•	Murray, E. C.	•		•	Vecera	
Burgess	•		Hargrove		•	Needle		•		Wagandt	•
Bushong		•	Harkness	•		Neilson		•	•	Webb	
Buzzell		•	Harris	•		Neumann	•		•	Webster	
Byrnes		•	Henderson		•	O'Connor		•	•	Weidemeyer	
Caldwell			Hickman		•	Pascal	•		•	Wheatley	
Cardin			Hopkins		•	Penniman	•			White	•
Carson			Hostetter		•	Peters	•		•	Willis	
Case			Hutchinson		•	Powers		•	•	Willoner	
Chabot			Jett		•	Price	•			Winslow	•
Child		•	Johnson	•		Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	• 2 2	2 2
3 3	3 3	3 3 •
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8 8	8 8	8 8
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DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	20 2
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4000 400	40 4
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RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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DEC. 0





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 4  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Swes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Mark, J. •			Cleveland		•	Kirkland		•	Rollins		•
James		•	• Dabrowski			Koger		•	Rosenstock		•
Bramson		•	• Darby			Kosakowski		•	Rush		•
Dkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	• Dorsey			Leitzel		•	Scanlan		•
• Mor		•	Dukes		•	Linton		•	Schloeder		•
• Imberger		•	Dulany		•	Lord		•	Schneider		•
• rd		•	Eckenrode		•	Macdonald		•	Sherbow		•
• rrick		•	Finch •			Malkus		•	Sickles		•
• umann		•	Fornos •			Marion		•	Siewierski		•
• achley		•	Fox		•	Mason		•	• Singer		
• all		•	Frederick		•	Maurer •			Smith, J. H.		•
• Innett •			Freedlander		•	Mentzer		•	Smith, M. H.		•
• ir		•	Gallagher		•	Miller, B.		•	Sollins		•
• ileau		•	Gilchrist		•	Miller, E. T.		•	• Sosnowski		
• rom		•	Gill		•	Mitchell		•	Soul		•
• the		•	Gleason		•	Morgan		•	• Stern		
• yce •			Grant		•	Moser •			• Storm		
• yer •			Groh		•	Mosner		•	Sybert		•
• yles •			Grumbacher		•	Mudd		•	Taylor, H. E.		•
• adshaw		•	Gullett •			Murphy		•	Taylor, L. •		
• yson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
• -dette		•	Hardwicke		•	Murray, E. C.		•	• Vecera		
• gess		•	Hargrove		•	Needle		•	Wagandt		•
• shong		•	Harkness		•	Neilson		•	Webb		•
• zell		•	Harris		•	Neumann		•	Webster		•
• nes		•	Henderson		•	O'Connor		•	Weidemeyer		•
• dwell		•	Hickman		•	Pascal		•	Wheatley •		
• rdin		•	Hopkins		•	Penniman		•	White		•
• rson		•	Hostetter		•	Peters		•	• Willis		
• se		•	Hutchinson		•	Powers		•	Willoner		•
• abot		•	• Jett			Price •			Winslow		•
• ld		•	Johnson		•	Pullen		•			
• one		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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3	3 3	3 3	4000 400	40 4 •	2
4	4 4	4 4	500	50 5	3
5	5 5 •	5 5	RESO. 600	60 6	4
6	6 6	6 6	2-R. 700	70 7	5
7	7 7	7 7 •	3-R. 800	80 8	6 •
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# Constitutional<sup>AP</sup> Convention

AMENDMENT NO. 5

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE BAMBERGER

- 1 On page 2 Section 5.06 Composition of
- 2 Intermediate Appellate Court in line 39 strike
- 3 out the words "as prescribed by rule,".
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 5  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		Robey, F. C.		•
Awes			Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J. •			Cleveland •			Kirkland	•		Rollins		
James		•	Dabrowski	•		Koger		•	Rosenstock		•
Abramson			Darby	•		Kosakowski	•		Rush	•	
Adkins		•	Della	•		Koss	•		Rybczynski	•	
Anderson			Dorsey	•		Leitzel	•		Scanlan	•	
Armor •			Dukes		•	Linton	•		Schloeder	•	
Bamberger			Dulany		•	Lord •			Schneider		•
Bard			Eckenrode	•		Macdonald	•		Sherbow		•
Barrick			Finch	•		Malkus	•		Sickles	•	
Baumann			Fornos		•	Marion		•	Siewierski	•	
Beachley			Fox	•		Mason		•	Singer	•	
Beall			Frederick	•		Maurer	•		Smith, J. H.		•
Bennett			Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair			Gallagher		•	Miller, B.	•		Sollins	•	
Boileau			Gilchrist	•		Miller, E. T.	•		Sosnowski	•	
Borum			Gill	•		Mitchell	•		Soul	•	
Bothe		•	Gleason	•		Morgan		•	Stern		•
Boyce			Grant	•		Moser		•	Storm		•
Boyer			Groh	•		Mosner		•	Sybert		•
Boyles •			Grumbacher	•		Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett •			Murphy	•		Taylor, L.		•
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette			Hardwicke		•	Murray, E. C.	•		Vecera	•	
Burgess			Hargrove		•	Needle		•	Wagandt •		
Bushong			Harkness	•		Neilson	•		Webb	•	
Buzzell			Harris	•		Neumann	•		Webster	•	
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer	•	
Caldwell			Hickman	•		Pascal	•		Wheatley	•	
Cardin			Hopkins		•	Penniman	•		White		•
Carson			Hostetter	•		Peters	•		Willis	•	
Case			Hutchinson	•		Powers		•	Willoner	•	
Chabot			Jett		•	Price •			Winslow		•
Child		•	Johnson	•		Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	• 1 1	1 1
2 2	2 2	2 2
3 3	3 3 •	3 3
4 4	4 4	• 4 4 •
5 5 •	5 5	5 5
6 6	6 6	6 6
7 7	7 7	7 7
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DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	20 2
3000 300	30 3
4000 400	40 4
500 50	50 5 •
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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SEPT. 7
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• NOV. 9
DEC. 0





AK

# Constitutional Convention

AMENDMENT NO. 6

~~XXXXXXXXXXXX~~ No. \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE S STORM AND SINGER



- 1 On page 2 Section 5.03 Composition of Court
- 2 of Appeals in line 4 after the word "of" add
- 3 the words "no fewer than".
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# Constitutional<sup>AQ</sup> Convention

AMENDMENT NO. 6

~~TO XXXXXXXX NO. XXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE      MACDONALD

1      On page 3 Section 5.08 Composition of  
2      Superior Court line 14 after the word "by"  
3      insert the words "law or".

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 6*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		●	Clagett		●	Key	●		Robey, F. C.		
Tawes		●	● Clarke, E. J.			Kiefer	●		Robie, K. L.		●
Clark, J. ●			Cleveland	●		● Kirkland			Rollins		●
James		●	● Dabrowski			Koger		●	Rosenstock		●
Abramson		●	● Darby			Kosakowski		●	● Rush		
Adkins		●	● Della			● Koss			● Rybczynski		
● Anderson			● Dorsey			● Leitzel			● Scanlan		
● Armor			Dukes		●	● Linton			● Schloeder		
● Bamberger			Dulany		●	● Lord			Schneider		●
● Bard			● Eckenrode			● Macdonald			Sherbow		●
● Barrick			● Finch			Malkus	●		● Sickles		
● Baumann			● Fornos			Marion		●	● Siewierski		
● Beachley			● Fox			● Mason			● Singer		
● Beall			● Frederick			● Maurer			Smith, J. H.		●
● Bennett			● Freedlander			● Mentzer			Smith, M. H.		●
● Blair			Gallagher		●	● Miller, B.			● Sollins		
● Boileau			● Gilchrist			Miller, E. T.		●	● Sosnowski		
● Borom			Gill		●	● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern		
● Boyce			● Grant			Moser		●	● Storm		
● Boyer			Groh		●	● Mosner			Sybert		●
Boyles	●		● Grumbacher			Mudd		●	Taylor, H. E.		●
Bradshaw		●	Gullett	●		● Murphy			Taylor, L.		●
Bryson		●	Hanson		●	Murray, D. S.		●	Ulrich		●
● Burdette			Hardwicke		●	Murray, E. C.		●	● Vecera		
● Burgess			Hargrove		●	Needle		●	● Wagandt		
Bushong		●	● Harkness			● Neilson		●	● Webb		
Buzzell		●	● Harris			● Neumann			● Webster		
Byrnes		●	Henderson		●	● O'Connor			● Weidemeyer		
● Caldwell			● Hickman			● Pascal			Wheatley	●	
Cardin		●	Hopkins		●	● Penniman			● White		
Carson		●	● Hostetter			● Peters			Willis		●
Case		●	● Hutchinson			Powers		●	● Willoner		
● Chabot			Jett		●	Price	●		Winslow		●
Child		●	● Johnson			Pullen		●			
Cicone		●	● Kahl			● Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	● 0 0	0 0
1 1 ●	1 1	1 1
2 2	2 2	2 2 ●
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	● 5 5
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DEL. PRO.	COM. REC.
1000 100	10 1
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AO

# Constitutional Convention

AMENDMENT NO. 7

~~XXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE BAMBERGER

1 On page 3 Section 5.08 Composition of  
2 Superior Court in lines 11 and 12 strike out  
3 the sentence reading "There shall be at least  
4 one Superior Court judge resident in each  
5 county."  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 7  
to JB-1*

126

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key		•	Robey, F. C.		•
Awes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.	•		Cleveland	•		Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson	•		Darby	•		Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson	•		Dorsey		•	Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder	•	
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos		•	Marion		•	Siewierski		•
Beachley		•	Fox	•		Mason		•	Singer	•	
Beall		•	Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.	•		Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski		•
Borum		•	Gill		•	Mitchell	•		Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm		•
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy		•	Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Brette		•	Hardwicke	•		Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris	•		Neumann		•	Webster		•
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
Caldwell		•	Hickman		•	Pascal		•	Wheatley	•	
Cardin		•	Hopkins		•	Penniman		•	White	•	
Carson		•	Hostetter		•	Peters		•	Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1
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5 5	5 5	5 5	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
7 7	7 7	7 7	3-R. 800	80 8	6
8 8	8 8	8 8	QUO. 900	90 9	SEPT. 7
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					DEC. 0



AS

# Constitutional Convention

AMENDMENT NO. 2

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To Committee Recommendation No. JB-1

BY DELEGATES GRANT, CLAGETT, HENDERSON

1 On page 3 Section 5.08 Composition of  
2 Superior Court line 12 after the word "county"  
3 insert the following: "who shall preside  
4 over a division of the Superior Court in that  
5 county".  
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*Accept  
as submitted for  
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AT

# Constitutional Convention

AMENDMENT NO. 9

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE CHABOT

- 1 On page 3 Section 5.08 Composition of
- 2 Superior Court line 12 after the period insert
- 3 the sentence: "A Superior Court judge shall
- 4 sit regularly in each county."
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BC

# Constitutional Convention

AMENDMENT NO. 10

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE BENNETT

1 On page 3 Section 5.08 Composition of  
 2 Superior Court line 14, after the period  
 3 add: "The rule may provide that a judge  
 4 assigned to a functional division shall  
 5 serve on a non-rotational basis."  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 10*

*to JB-1*

2

S	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		●	Claggett		●	Key		●	Robey, F. C.		●
Awes		●	Clarke, E. J.		●	Kiefer		●	Robie, K. L.		●
Clark, J.	●		Cleveland	●		Kirkland		●	Rollins		●
James		●	Dabrowski		●	Koger		●	Rosenstock		●
Abramson	●		Darby		●	Kosakowski	●		Rush	●	
Adkins		●	Della		●	Koss		●	Rybczynski		●
Anderson		●	Dorsey		●	Leitzel		●	Scanlan	●	
Armour		●	Dukes		●	Linton		●	Schloeder		●
Amberger		●	Dulany		●	Lord		●	Schneider		●
Hard		●	Eckenrode	●		Macdonald		●	Sherbow		●
Arrick		●	Finch		●	Malkus	●		Sickles		●
Baumann	●		Fornos		●	Marion		●	Siewierski		●
Beachley		●	Fox		●	Mason	●		Singer		●
Beall		●	Frederick		●	Maurer	●		Smith, J. H.		●
Bennett		●	Freedlander		●	Mentzer		●	Smith, M. H.		●
Blair	●		Gallagher		●	Miller, B.		●	Sollins		●
Boileau	●		Gilchrist		●	Miller, E. T.		●	Sosnowski	●	
Borum		●	Gill		●	Mitchell		●	Soul		●
Bothe	●		Gleason		●	Morgan		●	Stern		●
Boyce		●	Grant		●	Moser		●	Storm		●
Boyer		●	Groh	●		Mosner		●	Sybert		●
Boyles	●		Grumbacher		●	Mudd	●		Taylor, H. E.		●
Bradshaw		●	Gullett	●		Murphy	●		Taylor, L.		●
Byson		●	Hanson		●	Murray, D. S.		●	Ulrich		●
Burdette		●	Hardwick	●		Murray, E. C.		●	Vecera		●
Burgess		●	Hargrove		●	Needle		●	Wagandt		●
Bushong		●	Harkness		●	Neilson	●		Webb		●
Buzzell		●	Harris		●	Neumann		●	Webster		●
Byrnes		●	Henderson		●	O'Connor		●	Weidemeyer		●
Caldwell		●	Hickman		●	Pascal	●		Wheatley	●	
Cardin	●		Hopkins		●	Penniman		●	White		●
Carson		●	Hostetter	●		Peters		●	Willis		●
Case	●		Hutchinson		●	Powers		●	Willoner		●
Chabot		●	Jett		●	Price	●		Winslow		●
Child		●	Johnson		●	Pullen		●			
Cicone		●	Kahl	●		Raley		●			

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6 6	6 6	6 6 ●	2-R. 700	70 7	6 6 ●
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BE

# Constitutional Convention

AMENDMENT NO. 11

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES FOX, CARSON

1 On page 1 Section 5.01 Judicial Power  
2 in line 14 strike out the word "District"  
3 and insert in lieu thereof the word "General";  
4 and

5  
6 In all other places where the term  
7 "District Court" appears in Article V  
8 insert in lieu thereof the term "General  
9 Court".

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 11*  
*to JB-1*

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.	•		Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger		•	Rosenstock		•
Abramson	•		Darby	•		Kosakowski	•		Rush		•
Adkins		•	Della		•	Koss	•		Rybczynski		•
Anderson		•	Dorsey		•	Leitzel	•		Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder	•	
Amberger			Dulany		•	Lord		•	Schneider		•
ard			Eckenrode	•		Macdonald		•	Sherbow		•
arrick			Finch	•		Malkus	•		Sickles	•	
aumann	•		Fornos			Marion		•	Siewierski		•
eachley		•	Fox	•		Mason		•	Singer	•	
call		•	Frederick			Maurer	•		Smith, J. H.		•
ennett	•		Freedlander			Mentzer	•		Smith, M. H.	•	
air		•	Gallagher		•	Miller, B.	•		Sollins	•	
ileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski	•	
rom		•	Gill		•	Mitchell	•		Soul		•
the		•	Gleason	•		Morgan		•	Stern		•
yce		•	Grant			Moser		•	Storm	•	
yer		•	Groh		•	Mosner		•	Sybert		
yles	•		Grumbacher	•		Mudd		•	Taylor, H. E.		•
adshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
son			Hanson		•	Murray, D. S.		•	Ulrich		•
edette		•	Hardwick	•		Murray, E. C.		•	Vecera		•
gess		•	Hargrove		•	Needle	•		Wagandt		•
hong		•	Harkness		•	Neilson	•		Webb	•	
zell			Harris		•	Neumann		•	Webster	•	
nes			Henderson		•	O'Connor		•	Weidemeyer		•
dwell		•	Hickman		•	Pascal		•	Wheatley		•
din	•		Hopkins		•	Penniman		•	White		•
son			Hostetter	•		Peters		•	Willis	•	
e	•		Hutchinson	•		Powers		•	Willoner	•	
bot		•	Jett		•	Price	•		Winslow		•
d		•	Johnson		•	Pullen		•			
one		•	Kahl		•	Raley		•			

AS	N-V	NAYS
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DEC 31



AR

# Constitutional Convention

AMENDMENT NO. 12

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE    MACDONALD

1     On page 3 Section 5.10 Composition of  
2     District Court line 41 after the word "by"  
3     insert the words "law or".  
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APPROVED  
JAN 12 1960  
COMMISSIONER OF LABOR & INDUSTRY  
BOSTON, MASS.





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 12*  
*JB-1*

S	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
resident		•	Claggett		•	Key	•		Robey, F. C.		
awes			Clarke, E. J.	•		Kiefer	•		• Robie, K. L.		
ark, J.	•		Cleveland	•		• Kirkland			Rollins	•	
ames		•	Dabrowski	•		Koeger		•	Rosenstock		•
bramson	•		Darby	•		Kosakowski	•		• Rush		
dkins		•	• Della			• Koss			• Rybczynski		
nderson			• Dorsey			• Leitzel			• Scanlan		
rmor			Dukes		•	Linton	•		• Schloeder		
amberger			Dulany		•	Lord	•		• Schneider		•
ard			• Eckenrode			• Macdonald			• Sherbow		
arick			• Finch			Malkus	•		• Sickles		
umann	•		• Fornos			Marion		•	• Siewierski		
achley			• Fox			• Mason			• Singer		
all			• Frederick			Maurer	•		Smith, J. H.		•
ennett			• Freedlander			• Mentzer			Smith, M. H.		•
air			Gallagher	•		• Miller, B.			• Sollins		
ileau			• Gilchrist			Miller, E. T.		•	• Sosnowski		
rom			• Gill			• Mitchell			• Soul		
the			• Gleason			• Morgan			• Stern		
yce			• Grant			Moser		•	• Storm		
yer			Groh		•	• Mosner			Sybert		•
yles	•		• Grumbacher			Mudd	•		Taylor, H. E.		•
adshaw		•	Gullett	•		• Murphy			Taylor, L.		•
yson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
rdette			Hardwicke			• Murray, E. C.			• Vecera		
rgess			Hargrove		•	• Needle			• Wagandt		
shong		•	• Harkness			• Neilson			• Webb		
zell		•	• Harris			• Neumann			• Webster		
nes		•	Henderson		•	• O'Connor			• Weidemeyer		
ldwell			• Hickman			• Pascal			• Wheatley		
rdin	•		• Hopkins			• Penniman			• White		
erson			• Hostetter			• Peters			• Willis		
se		•	• Hutchinson			• Powers			• Willoner		•
abot			• Jett			Price	•		Winslow		
ld		•	• Johnson			• Pullen					
one		•	• Kahl			• Raley					

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1 •
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1 1	1 1	1 1	2000 200	20 2 •	3
2 2	• 2 2	2 2	3000 300	30 3	1
3 3	3 3 •	• 3 3 •	4000 400	40 4	2
4 4	4 4	4 4	500	50 5	3
5 5	5 5	5 5	RESO. 600	60 6	4
6 6 •	6 6	6 6	2-R. 700	70 7	5
7 7	7 7	7 7	3-R. 800	80 8	6 •
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9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
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# Constitutional Convention

AMENDMENT NO. 13

To Accompany Minority Report No. JB-1

~~TOXAMENDMENT NO. XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 3 Section 5.11 Commissioners strike  
2 out all of lines 45 through 50 and on page 4  
3 line 1 strike out the word "therein" and  
4 insert in lieu thereof the following:

5  
6 "The General Assembly may provide for  
7 commissioners of the District Court. The  
8 number, qualifications, appointment, compen-  
9 sation and tenure of District Court com-  
10 missioners shall be prescribed by law."

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 13*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		●	Clagett		●	●Key			Robey, F. C.		●
Tawes	●		Clarke, E. J.		●	Kiefer		●	Rebie, K. L.		●
Clark, J.	●		Cleveland	●		●Kirkland			Rollins		●
James		●	Dabrowski			Koger		●	Rosenstock		●
Abramson			Darby	●		Kosakowski		●	●Rush		
Adkins		●	●Della			Koss		●	●Rybczynski		
Anderson	●		●Dorsey			Leitzel		●	Scanlan		●
Armor		●	Dukes		●	Linton		●	Schloeder		●
Bamberger		●	Dulany		●	Lord		●	●Schneider		
Bard		●	●Eckenrode			Macdonald		●	Sherbow		●
Barrick		●	●Finch			Malkus	●		Sickles		●
Baumann	●		Fornos		●	Marion		●	●Siewierski		
Beachley		●	●Fox			Mason		●	Singer		●
Beall		●	●Frederick			Maurer		●	Smith, J. H.		●
●Bennett			Freedlander		●	Mentzer		●	Smith, M. H.		●
●Blair			Gallagher		●	●Miller, B.			Sollins		●
●Boileau			Gilchrist		●	Miller, E. T.		●	●Sosnowski		
Borom		●	Gill		●	●Mitchell			●Soul		
Bothe		●	●Gleason			Morgan		●	Stern		●
Boyce		●	●Grant			Moser		●	Storm		●
Boyer	●		Groh		●	Mosner		●	Sybert		●
Boyles		●	Grumbacher		●	Mudd		●	Taylor, H. E.		●
Bradshaw		●	Gullett	●		●Murphy			Taylor, L.		●
Bryson		●	Hanson		●	Murray, D. S.		●	Ulrich		●
Burdette		●	Hardwicke		●	Murray, E. C.		●	●Vecera		
Burgess		●	Hargrove		●	Needle		●	Wagandt		●
Bushong		●	●Harkness			Neilson		●	●Webb		
Buzzell		●	●Harris			Neumann		●	●Webster		
Byrnes		●	Henderson		●	O'Connor		●	●Weidemeyer		
●Caldwell			●Hickman			Pascal		●	●Wheatley		
Cardin		●	Hopkins		●	Penniman	●		White		●
Carson		●	●Hostetter			●Peters			Willis		●
Case		●	Hutchinson		●	Powers		●	Willoner		●
Chabot		●	●Jett			Price	●		Winslow		●
Child		●	●Johnson			Pullen		●			
Cicone		●	●Kahl			Raley		●			

YEAS	N-V	NAYS
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AN  
**Constitutional Convention**

**AMENDMENT NO.** 14

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE GRANT

1 On page 4 Section 5.11 Commissioners strike  
2 out the last sentence on lines 1 through 4  
3 and insert in lieu thereof the following:  
4 "Commissioners may exercise such power as  
5 prescribed by rule."  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 14*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		●	● Clagett			Key		●	Robey, F. C.		●
Tawes	●		Clarke, E. J.		●	Kiefer		●	Robie, K. L.		●
Clark, J.	●		Cleveland	●		● Kirkland			Rollins		●
James		●	Dabrowski	●		Koger		●	Rosenstock		●
Abramson			Darby	●		Kosakowski		●	Rush	●	
Adkins			Della		●	Koss	●		Rybczynski		●
Anderson		●	Dorsey		●	Leitzel		●	● Scanlan		
Armor	●		Dukes		●	● Linton			Schloeder		●
Bamberger		●	Dulany		●	● Lord			Schneider		●
Bard			● Eckenrode			Macdonald		●	Sherbow		●
Barrick			Finch		●	Malkus	●		Sickles		●
Baumann	●		Fornos		●	Marion		●	Siewierski		●
Beachley			● Fox			Mason		●	Singer		●
Beall	●		Frederick	●		Maurer		●	● Smith, J. H.		
Bennett		●	Freedlander		●	● Mentzer			Smith, M. H.		●
Blair		●	Gallagher		●	Miller, B.		●	Sollins		●
Boileau		●	● Gilchrist			Miller, E. T.			Sosnowski	●	
Borom		●	Gill		●	● Mitchell			Soul		●
Bothe		●	Gleason		●	Morgan		●	Stern		●
Boyce		●	● Grant			● Moser			● Storm		
Boyer	●		Groh		●	● Mosner			Sybert		●
Boyles			Grumbacher		●	Mudd		●	Taylor, H. E.		●
Bradshaw		●	Gullett	●		Murphy	●		Taylor, L.		●
Bryson		●	Hanson		●	Murray, D. S.		●	Ulrich		●
Burdette		●	● Hardwicke			Murray, E. C.		●	Vecera	●	
Burgess		●	Hargrove		●	● Needle			Wagandt		●
Bushong		●	Harkness		●	Neilson		●	● Webb		
Buzzell		●	Harris		●	Neumann		●	● Webster		
Byrnes		●	Henderson		●	O'Connor		●	Weidemeyer		●
Caldwell	●		Hickman		●	Pascal		●	● Wheatley		
Cardin	●		Hopkins	●		Penniman		●	White		●
Carson			Hostetter	●		Peters		●	Willis	●	
Case			Hutchinson		●	Powers		●	Willoner		●
Chabot		●	Jett	●		Price	●		Winslow		●
Child		●	Johnson	●		Pullen		●			
Cicone		●	Kahl	●		● Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0	0	0
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
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7	7	7
8	8	8
9	9	9

DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

DATE:	1
JAN.	2
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SEPT.	7
OCT.	8
● NOV.	9
DEC.	0



BI

# Constitutional Convention

AMENDMENT NO. 15

To Amendment No. \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE MACDONALD

1 On page 4, Section 5.11 Commissioners  
2 in lines 3 and 4, strike out the following  
3 ", and then only as prescribed by rule".  
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REJECTED





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 15*  
*to JB-1*

EAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.	•		Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger		•	Rosenstock		•
• Abramson		•	Darby	•		Kosakowski		•	• Rush		
Adkins		•	Della	•		Koss	•		• Rybczynski		
Anderson	•		Dorsey	•		Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
• Bamberger		•	Dulany		•	Lord	•		Schneider		•
Bard		•	Eckenrode		•	Macdonald	•		Sherbow		•
Barrick	•		Finch	•		Malkus	•		Sickles	•	
Baumann		•	Fornos	•		Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason		•	Singer		•
Beall		•	Frederick		•	Maurer	•		Smith, J. H.		•
• Bennett			Freedlander		•	• Mentzer			Smith, M. H.		•
• Blair			Gallagher		•	• Miller, B.			Sollins		•
Boileau	•		Gilchrist		•	Miller, E. T.		•	Sosnowski	•	
Borom		•	Gill		•	Mitchell	•		Soul		•
Bothe		•	Gleason	•		Morgan	•		Stern		•
Boyce		•	Grant		•	Moser		•	Storm		
Boyer		•	• Groh			Mosner		•	Sybert		•
Boyles	•		• Grumbacher			Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	• Murphy			Taylor, L.	•	
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
• Burdette			Hardwicke		•	Murray, E. C.		•	• Vecera		
• Burgess			Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	• Webb		
Buzzell	•		Harris	•		• Neumann			Webster	•	
Byrnes	•		Henderson		•	O'Connor		•	• Weidemeyer		
Caldwell		•	Hickman		•	• Pascal			• Wheatley		
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson	•		Hostetter	•		Peters	•		• Willis		
Case		•	• Hutchinson			Powers		•	• Willoner		
Chabot		•	Jett		•	Price		•	Winslow		•
Child		•	Johnson		•	Pullen		•			
Cicone		•	• Kahl			Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0	0	0
1	1	1
2	2	2
• 3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	• 8
9	9	9

DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

DATE:	
JAN.	2
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SEPT.	7
OCT.	8
• NOV.	9
DEC.	0



BD

# Constitutional Convention

AMENDMENT NO. 16

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE BOTHE

1 On page 4 Section 5.11 Commissioners in  
2 lines 2 and 3 strike out the words "col-  
3 lateral and" and insert in lieu thereof  
4 the following: "terms of pre-trial release  
5 or".  
6  
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ADOPTED



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 16  
to J13-1*

YEAS	N-V	NAYS
● President		
● Tawes		
Clark, J. ●		
● James		
● Abramson		
● Adkins		
● Anderson		
● Armor		
● Bamberger		
● Bard		
Barrick ●		
Baumann ●		
● Beachley		
● Beall		
● Bennett		
● Blair		
● Boileau		
● Borom		
● Bothe		
● Boyce		
Boyer ●		
Boyles ●		
● Bradshaw		
● Bryson		
● Burdette		
● Burgess		
● Bushong		
Buzzell ●		
Byrnes ●		
● Caldwell		
● Cardin		
● Carson		
● Case		
● Chabot		
Child ●		
● Cicone		

YEAS	N-V	NAYS
● Clagett		
Clarke, E. ● J.		
Cleveland ●		
● Dabrowski		
● Darby		
Della ●		
Dorsey ●		
● Dukes		
● Dulany		
● Eckenrode		
● Finch		
● Fornos		
● Fox		
● Frederick		
● Freedlander		
● Gallagher		
● Gilchrist		
● Gill		
Gleason ●		
● Grant		
Groh ●		
● Grumbacher		
● Gullett		
● Hanson		
● Hardwicke		
● Hargrove		
● Harkness		
Harris ●		
Henderson		
● Hickman		
● Hopkins		
Hostetter ●		
● Hutchinson		
● Jett		
Johnson ●		
● Kahl		

YEAS	N-V	NAYS
● Key		
● Kiefer		
● Kirkland		
● Koger		
● Kosakowski		
Koss ●		
● Leitzel		
● Linton		
Lord ●		
● Macdonald		
● Malkus		
● Marion		
● Mason		
● Maurer		
● Mentzer		
Miller, B. ●		
● Miller, E. T.		
● Mitchell		
● Morgan		
● Moser		
● Mosner		
● Mudd		
Murphy ●		
● Murray, D. S.		
● Murray, E. C.		
● Needle		
● Neilson		
● Neumann		
● O'Connor		
● Pascal		
● Penniman		
Peters ●		
● Powers		
● Price		
● Pullen		
● Raley		

YEAS	N-V	NAYS
● Robey, F. C.		
● Robie, K. L.		
● Rollins		
● Rosenstock		
Rush ●		
Rybczynski ●		
● Scanlan		
● Schloeder		
● Schneider		
● Sherbow		
Sickles ●		
● Siewierski		
● Singer		
● Smith, J. H.		
● Smith, M. H.		
● Sollins		
Sosnowski ●		
● Soul		
● Stern		
Storm		
● Sybert		
● Taylor, H. E.		
● Taylor, L.		
● Ulrich		
Vecera ●		
● Wagandt		
● Webb		
● Webster		
● Weidemeyer		
Wheatley ●		
● White		
● Willis		
● Willoner		
● Winslow		

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0 ●
1 1	1 1	1 1
2 2 ●	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7	7 7	7 7
8 8	8 8	8 8
9 9	9 9 ●	9 9

DEL. PRO.	COM. REC.
1000	100 ● 10 1
2000	200 20 2
3000	300 30 3
4000	400 40 4
	500 50 5
RESO.	600 60 6 ●
2-R.	700 70 7
3-R.	800 80 8
QUO.	900 90 9
MOT.	000 00 0

DATE:	1 ●
JAN.	2
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SEPT.	7 ●
OCT.	8
● NOV.	9
DEC.	0





BK  
Constitutional Convention

AMENDMENT NO. 17

~~To Amend XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE CHABOT

1 On page 4, Section 5.11 Commissioners in  
2 line 4 following the period, add the sentence:  
3  
4 "No commissioner may issue a warrant of arrest  
5 unless he is a member of the Bar of the State."  
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RECEIVED  
JAN 10 1964



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 17*  
*to JB-1*

2

	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Brewes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.	•		Cleveland	•		Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Bramson		•	• Darby			Kosakowski		•	Rush		•
Dodkins		•	Della	•		Koss	•		Rybczynski		•
Anderson	•		Dorsey	•		Leitzel		•	Scanlan		•
Amor		•	Dukes		•	Linton	•		Schloeder		•
Amberger		•	Dulany		•	Lord		•	Schneider		•
Hard		•	Eckenrode		•	Macdonald	•		Sherbow		•
Arrick		•	Finch		•	Malkus	•		Sickles	•	
Humann	•		Fornos		•	Marion		•	Siewierski		•
Lachley		•	Fox		•	Mason	•		Singer		•
Call		•	Frederick	•		Maurer		•	Smith, J. H.		•
Innett			Freedlander		•	Mentzer	•		Smith, M. H.		•
Air		•	Gallagher		•	• Miller, B.			• Sollins		•
Fileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski	•	
From			Gill		•	• Mitchell			Soul		•
the		•	Gleason	•		Morgan		•	Stern		•
Lyce		•	Grant		•	Moser		•	Storm		•
Yer			Groh		•	Mosner		•	Sybert		•
yles	•		Grumbacher			Mudd		•	Taylor, H. E.		•
Radshaw		•	Gullett		•	Murphy	•		Taylor, L.	•	
yson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
ardette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
gress		•	Hargrove		•	• Needle			Wagandt		•
Eshong		•	Harkness		•	Neilson	•		Webb		•
Erzell		•	Harris	•		Neumann		•	Webster		•
Ernes			Henderson		•	O'Connor		•	Weidemeyer		•
Cldwell		•	Hickman		•	Pascal		•	Wheatley	•	
Ordin		•	Hopkins		•	Penniman		•	White		•
Orson		•	Hostetter		•	Peters		•	Willis		•
Cse		•	Hutchinson		•	Powers		•	Willoner		•
Cabot		•	Jett		•	Price	•		Winslow		•
Cld		•	Johnson		•	Pullen		•			
Cone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS
0-200	100-200	100-200
0	0	0
1	1	1
2	2	2
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DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

DATE:
JAN. 2
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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



AW

# Constitutional Convention

AMENDMENT NO. 18

~~XXXXXXXXXXXX~~ \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE MALKUS`

1 On page 3 Section 5.10 Composition of Dis-  
2 trict Court in line 36 strike out the word  
3 "district" and insert in lieu thereof the  
4 word "county"; and in lines 36 through 39,  
5 inclusive, strike out the following sentence  
6 "In any district containing more than one  
7 county, a District Court judge shall sit  
8 regularly in each county."  
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ADOPTED





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 18*  
*to JB-1*

YEAS	N-V	NAYS
President		•
• Tawes		
Clark, J. •		
James		•
• Abramson		
• Adkins		
• Anderson		
• Armor		
Bamberger		•
Bard		•
• Barrick		
• Baumann		
• Beachley		
• Beall		
Bennett		•
• Blair		
• Boileau		
Borom		•
Bothe		•
Boyce		•
• Boyer		
Boyles	•	
Bradshaw		•
Bryson		•
• Burdette		
• Burgess		
• Bushong		
• Buzzell		
Byrnes		•
• Caldwell		
• Cardin		
• Carson		
Case		•
Chabot		•
• Child		
Cicone		•

YEAS	N-V	NAYS
• Clagett		•
• Clarke, E. J.		
• Cleveland		
• Dabrowski		
• Darby		
• Della		
Dorsey	•	
Dukes		•
Dulany		•
• Eckenrode		
• Finch		
• Fornos		
• Fox		
• Frederick		
Freedlander		•
• Gallagher		•
• Gilchrist		
Gill		•
Gleason	•	
• Grant		
• Groh		
• Grumbacher		
• Gullett		
Hanson		•
Hardwicke		•
Hargrove		•
• Harkness		
• Harris		
Henderson		•
• Hickman		
Hopkins		•
• Hostetter		
• Hutchinson		
Jett		•
• Johnson		
• Kahl		

YEAS	N-V	NAYS
• Key		•
• Kiefer	•	
• Kirkland		
Kozer		•
Kosakowski		
Koss		•
• Leitzel		
• Linton		
Lord		•
Macdonald		•
• Malkus		
Marion		•
Mason		•
Maurer		•
Mentzer		•
Miller, B.		•
• Miller, E. T.		
Mitchell		•
Morgan		•
Moser		•
• Mosner		
Mudd		•
• Murphy		
Murray, D. S.		•
• Murray, E. C.		
Needle		•
• Neilson		
Neumann		•
O'Connor		•
• Pascal		
• Penniman		
Peters		•
Powers		•
Price	•	
• Pullen		
Raley		•

YEAS	N-V	NAYS
• Robey, F. C.		•
• Robie, K. L.		
• Rollins		
• Rosenstock		•
• Rush		
• Rybczynski		
• Scanlan		
Schloeder	•	
Schneider		•
Sherbow		•
Sickles	•	
Siewierski	•	
Singer		•
Smith, J. H.		•
Smith, M. H.		•
Sollins		•
• Sosnowski		
• Soul		
Stern		•
• Storm		
• Sybert		
Taylor, H. E.		•
• Taylor, L.		
Ulrich		•
• Vecera		
Wagandt		•
• Webb		
• Webster		
• Weidemeyer		
• Wheatley		
White		•
• Willis		
Willoner		•
Winslow		•

YEAS	N-V	NAYS
100-200	100-200	100-200
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DEL. PRO.	COM. REC.	DATE:
1000	100	1
2000	200	2
3000	300	3
4000	400	4
	500	5
RESO.	600	6
2-R.	700	7
3-R.	800	8
QUO.	900	9
MOT.	000	0

DATE:
JAN. 1
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Motion to Reconsider  
Amend 1F to J13-1*

YEAS	N-V	NAYS
• President		
Tawes		•
Clark, J. •		
James		•
Abramson		•
Adkins		•
Anderson		•
• Armor		
Bamberger		•
• Bard		
Barrick		•
Baumann		•
Beachley		•
Beall		•
• Bennett		
Blair		•
Boileau		•
• Borom		
• Bothe		
• Boyce		
Boyer		•
Boyles	•	
• Bradshaw		
• Bryson		
Burdette		•
Burgess		•
• Bushong		
Buzzell		•
• Byrnes		
Caldwell		•
Cardin		•
Carson		•
• Case		
• Chabot		
Child		•
• Cicone		

YEAS	N-V	NAYS
• Clagett		
Clarke, E. J.		•
Cleveland •		
• Dabrowski		
Darby		•
Della		•
Dorsey	•	
• Dukes		
• Dulany		
Eckenrode		•
Finch		•
Fornos		•
Fox		•
Frederick		•
• Freedlander		
• Gallagher		
Gilchrist		•
• Gill		
Gleason		•
Grant		•
Groh		•
Grumbacher		•
Gullett		•
• Hanson		
Hardwicke		•
• Hargrove		
Harkness		•
Harris		•
• Henderson		
Hickman		•
Hopkins		•
Hostetter		•
Hutchinson		•
Jett		•
Johnson	•	
Kahl		•

YEAS	N-V	NAYS
• Key		
Kiefer	•	
Kirkland		•
• Koger		
Kosakowski		
• Koss		
Leitzel		•
Linton		•
• Lord		
• Macdonald		
Malkus		•
• Marion		
• Mason		
• Maurer		
• Mentzer		
• Miller, B.		
Miller, E. T.		•
• Mitchell		
• Morgan		
• Moser		
Mosner		•
• Mudd		
Murphy		•
• Murray, D. S.		
Murray, E. C.		•
• Needle		
• Neilson		
Neumann		•
O'Connor		•
Pascal		•
Penniman		•
Peters		•
• Powers		
Price		•
Pullen		•
• Raley		

YEAS	N-V	NAYS
• Robey, F. C.		
Robie, K. L.		•
Rollins		•
Rosenstock		
Rush		•
Rybczynski		•
Scanlan		•
• Schloeder		
• Schneider		
• Sherbow		
Sickles	•	
Siewierski	•	
• Singer		
• Smith, J. H.		
Smith, M. H.		•
• Sollins		
Sosnowski		•
Soul		•
• Stern		
Storm		•
Sybert		•
• Taylor, H. E.		
• Taylor, L.		
• Ulrich		
Vecera		•
• Wagandt		
Webb		•
Webster		•
Weidemeyer		•
Wheatley		•
• White		
Willis		•
• Willoner		
• Winslow		

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	• 1 1	1 1
2 2	2 2 •	2 2 •
3 3	3 3	3 3
4 4	4 4	4 4
• 5 5	5 5	5 5
6 6	6 6	6 6
7 7	7 7	• 7 7
8 8 •	8 8	8 8
9 9	9 9	9 9

DEL. PRO.	COM. REC.
1000	100 10 1
2000	200 20 2
3000	300 30 3
4000	400 40 4
	500 50 5
RESO.	600 60 6
2-R.	700 70 7
3-R.	800 80 8
QUO.	900 90 9
• MOT.	000 00 0

DATE:	1	2
JAN.	3	1
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SEPT.	7	•
OCT.	8	
• NOV.	9	
DEC.	0	



# Constitutional<sup>BL</sup> Convention

AMENDMENT NO. 19

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE HARDWICKE

1 On page 4 Section 5.11 Commissioners strike  
2 out line 3 and insert in lieu thereof the  
3 following: ", incarceration pending hearing,  
4 and other matters as may be prescribed by law,  
5 and then".  
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RECEIVED





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 19*  
*to JB-1*

YEAS	N-V	NAYS
President		•
Tawes		•
Clark, J. •		
James		•
Abramson		•
Adkins		•
Anderson		•
Armor		•
Bamberger		•
Bard		•
Barrick •		
Baumann		•
Beachley		•
Beall •		
• Bennett		
Blair		•
• Boileau		
Borom		•
Bothe		•
Boyce		•
• Boyer		
Boyles •		
Bradshaw		•
Bryson		•
Burdette		•
Burgess		•
Bushong •		
Buzzell		•
Byrnes		•
• Caldwell		
• Cardin		
• Carson		
Case		•
Chabot •		
Child		•
Cicone		•

YEAS	N-V	NAYS
Clagett		•
Clarke, E. J.		
Cleveland •		
• Dabrowski		
• Darby		
Della		•
Dorsey •		
Dukes		•
Dulany		•
• Eckenrode		
• Finch		
Fornos •		
• Fox		
• Frederick		
Freedlander		•
Gallagher		•
• Gilchrist		
Gill		•
Gleason •		
• Grant		
Groh •		
Grumbacher		•
Gullett •		
• Hanson		
• Hardwicke		
Hargrove		•
Harkness		•
Harris		•
Henderson		•
Hickman		•
Hopkins		•
Hostetter		•
Hutchinson		•
Jett		•
Johnson •		
Kahl		•

YEAS	N-V	NAYS
Key		•
Kiefer		•
• Kirkland		
Koger		•
Kosakowski		
Koss		•
Leitzel		•
Linton		•
Lord		•
Macdonald		•
Malkus •		
Marion		•
Mason		•
Maurer •		
Mentzer		•
Miller, B.		•
• Miller, E. T.		
• Mitchell		
Morgan		•
Moser		•
Mosner		•
Mudd		•
• Murphy		
Murray, D. S.		•
Murray, E. C.		•
Needle		•
Neilson		•
Neumann		•
O'Connor		•
Pascal		•
Penniman		•
• Peters		
Powers		•
Price		•
Pullen		•
Raley		•

YEAS	N-V	NAYS
Robey, F. C.		•
Robie, K. L.		•
Rollins •		
Rosenstock		•
Rush		•
Rybczynski		•
Scanlan		•
Schloeder •		
Schneider		•
Sherbow		•
Sickles •		
Siewierski		•
Singer		•
Smith, J. H.		•
Smith, M. H.		•
Sollins		•
• Sosnowski		
Soul		•
Stern		•
Storm		•
Sybert		•
Taylor, H. E.		•
• Taylor, L.		
Ulrich		•
• Vecera		
Wagandt		•
• Webb		
• Webster		
• Weidemeyer		
Wheatley		•
White		•
Willis		•
Willoner		•
Winslow		•

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
• 2 2	• 2 2 •	2 2
3 3	3 3	3 3 •
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7 •	7 7	7 7
8 8	8 8	8 8
9 9	9 9	• 9 9

DEL. PRO.	COM. REC.	DATE:
1000 100	• 10 1	JAN. 2 •
2000 200	20 2	3
3000 300	30 3	1
4000 400	40 4	2
	500 50 5	3
RESO. 600	60 6	4
2-R. 700	70 7	5
3-R. 800	80 8	6
QUO. 900	90 9 •	SEPT. 7 •
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		• NOV. 9
		DEC. 0



# Constitutional Convention

AMENDMENT NO. 20

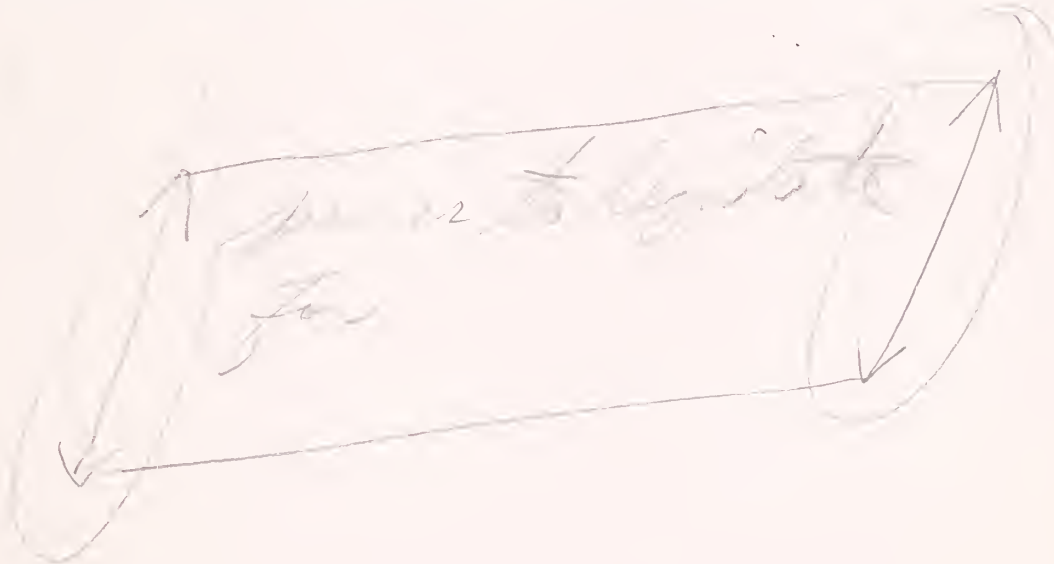
To Accompany Minority Report JB-1

~~To Amend Article XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 4 in line 18 of Section 5.13  
2 Eligibility for Appointment as Judge after  
3 the word "person" add the following words  
4 "shall be at least 30 years of age and".



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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 20  
to J13-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins	•	
James		•	Dabrowski	•		Koger	•		Rosenstock		•
Abramson	•		Darby	•		Kosakowski	•		Rush	•	
Adkins		•	Della	•		Koss		•	Rybczynski	•	
Anderson	•		Dorsey	•		Leitzel		•	Scanlan		•
Armor		•	Dukes	•		Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode	•		Macdonald		•	Sherbow	•	
Barrick		•	Finch		•	Malkus	•		Sickles	•	
Baumann	•		Fornos		•	Marion		•	Siewierski	•	
Beachley		•	Fox		•	Mason		•	Singer		•
Beall			Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair			Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski	•	
Borom		•	Gill		•	Mitchell	•		Soul		•
Bothe		•	Gleason	•		Morgan		•	Stern		•
Boyce	•		Grant		•	Moser		•	Storm	•	
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	Murphy	•		Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.	•		Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera	•	
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness	•		Neilon	•		Webb	•	
Buzzell		•	Harris			Neumann		•	Webster	•	
Byrnes			Henderson		•	O'Conor		•	Weidemeyer	•	
Caldwell			Hickman	•		Pascal		•	Wheatley	•	
Cardin		•	Hopkins	•		Penniman	•		White		•
Carson	•		Hostetter	•		Peters	•		Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price		•	Winslow		•
Child			Johnson	•		Pullen	•				
Cicone		•	Kahl			Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0 •
1 1	• 1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4 •	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7	7 7	7 7
8 8	8 8 •	8 8
9 9	9 9	• 9 9

DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	• 20 2
3000 300	30 3
4000 400	40 4
	500 50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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DEC. 0	•





BT

# Constitutional Convention

AMENDMENT NO. 21

~~Amendment No.~~ \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE SOLLINS

1 On page 4 Section 5.13 Eligibility for  
2 Appointment as Judge in line 29 after the word  
3 "county" insert the words "or have his princi-  
4 pal office"; and  
5 In line 32 after the word "district" insert  
6 the words "or have his principal office".  
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✓ 18  
✓ 114



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 21  
to 5B-1*

2

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President	•	• Clagett			Key			Robey, F. C.		
Twes	•	Clarke, E. J.	•		Kiefer			Robie, K. L.	•	
Mark, J.	•	Cleveland	•		Kirkland			Rollins	•	
James	•	Dabrowski	•		Kozer			Rosenstock	•	
Bramson	•	Darby	•		Kosakowski	•		Rush	•	
Adkins	•	Della	•		Koss	•		Rybczynski	•	
Anderson	•	Dorsey	•		Leitzel	•		• Scanlan		
Armour	•	Dukes	•		Linton	•		• Schloeder		
Amberger	•	Dulany	•		Lord	•		Schneider	•	
Card	•	Eckenrode	•		Macdonald	•		Sherbow	•	
Arrick	•	Finch	•		Malkus	•		• Sickles		
Sumann	•	Fornos	•		Marion	•		Siewierski	•	
Beachley	•	Fox	•		Mason	•		• Singer		
Ball	•	Frederick	•		Maurer	•		Smith, J. H.	•	
Ennett	•	Freedlander	•		Mentzer	•		• Smith, M. H.		
Air	•	Gallagher	•		• Miller, B.			• Sollins		
Boileau	•	Gilchrist	•		Miller, E. T.	•		Sosnowski	•	
Brom	•	Gill	•		Mitchell	•		Soul	•	
Bothe	•	Gleason	•		Morgan	•		Stern	•	
Boyce	•	Grant	•		Moser	•		Storm	•	
Boyer	•	Groh	•		Mosner	•		Sybert	•	
Boyles	•	Grumbacher	•		Mudd	•		Taylor, H. E.	•	
Bradshaw	•	Gullett	•		Murphy	•		Taylor, L.	•	
Byson	•	• Hanson			Murray, D. S.	•		Ulrich	•	
Cardette	•	• Hardwicke			Murray, E. C.	•		Vecera	•	
Cargess	•	Hargrove	•		• Needle			Wagandt	•	
Cashong	•	Harkness	•		• Neilson			Webb	•	
Cazzell	•	Harris	•		• Neumann			Webster	•	
Cyres	•	Henderson	•		• O'Connor			Weidemeyer	•	
Caldwell	•	Hickman	•		• Pascal			Wheatley	•	
Cardin	•	Hopkins	•		Penniman	•		White	•	
Carson	•	Hostetter	•		Peters	•		Willis	•	
Case	•	Hutchinson	•		Powers	•		Willoner	•	
Cabot	•	Jett	•		Price	•		Winslow	•	
Cild	•	Johnson	•		Pullen	•				
Cone	•	Kahl	•		Raley	•				

YEAS	N-V	NAYS
00-200	100-200	100-200
0	0 0	• 0 0
1	• 1 1	• 1 1
2	2 2	2 2
3	3 3	3 3
4	4 4	4 4
5	5 5	5 5
6	6 6	6 6
7	7 7	7 7
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9	9 9	9 9

DEL. PRO.	COM. REC.
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3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

DATE:	1
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SEPT.	7
OCT.	8
• NOV.	9
DEC.	0



CD

# Constitutional Convention

AMENDMENT NO. 22

~~XXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES STORM, SYBERT

1 On page 4 Section 5.13 Eligibility for  
2 Appointment as Judge in lines 28 and 32  
3 respectively in each instance after the word  
4 "resident" add the words "and registered  
5 voter"; and

6  
7 In line 32 strike out the word "district"  
8 and insert in lieu thereof the word "county."  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 22*  
*to JB-1*

2

	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President			Claggett			Key			Robey, F. C.		
Awes			Clarke, E. J.			Kiefer			Robie, K. L.		
Ark, J.			Cleveland			Kirkland			Rollins		
Armes			Dabrowski			Koger			Rosenstock		
Bramson			Darby			Kosakowski			Rush		
Bkins			Della			Koss			Rybczynski		
Bnderson			Dorsey			Leitzel			Scanlan		
Bmor			Dukes			Linton			Schloeder		
Bmberger			Dulany			Lord			Schneider		
Brd			Eckenrode			Macdonald			Sherbow		
Brrick			Finch			Malkus			Sickles		
Bumann			Fornos			Marion			Siewierski		
Bachley			Fox			Mason			Singer		
Ball			Frederick			Maurer			Smith, J. H.		
Bnnett			Freedlander			Mentzer			Smith, M. H.		
Bair			Gallagher			Miller, B.			Sollins		
Bileau			Gilchrist			Miller, E. F.			Sosnowski		
Brom			Gill			Mitchell			Soul		
Bthe			Gleason			Morgan			Stern		
Blyce			Grant			Moser			Storm		
Blyer			Groh			Mosner			Sybert		
Byles			Grumbacher			Mudd			Taylor, H. E.		
Badshaw			Gullett			Murphy			Taylor, L.		
Bon			Hanson			Murray, D. S.			Ulrich		
Bette			Hardwicke			Murray, E. C.			Vecera		
Brgess			Hargrove			Needle			Wagandt		
Bshong			Harkness			Neilson			Webb		
Bzell			Harris			Neumann			Webster		
Bmes			Henderson			O'Connor			Weidemeyer		
Bldwell			Hickman			Pascal			Wheatley		
Brdin			Hopkins			Penniman			White		
Brsen			Hostetter			Peters			Willis		
Bse			Hutchinson			Powers			Willoner		
Babot			Jett			Price			Winslow		
Bild			Johnson			Pullen					
Bone			Kahl			Raley					

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
0-200	100-200	100-200			JAN. 2
0	0	0	1000	100	3
1	1	1	2000	200	1
2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	7
8	8	8	QUO.	900	8
9	9	9	MOT.	000	9
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CE

# Constitutional Convention

AMENDMENT NO. 23

To Accompany Minority Report JB-1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

*and 45  
"surround of the  
vacancy"*

44  
1 On page 4 Section 5.14 Nomination and  
2 Appointment strike out all of lines 35  
3 through 50, inclusive, and insert in lieu  
4 thereof the following:

5  
6 "Section 5.14. Nominations and Appointments  
7 for Appellate Courts.

8 The governor shall fill a vacancy in  
9 the office of judge of the Court of Appeals  
10 and the Intermediate Appellate Court by  
11 appointing one person from a list of no  
12 fewer than three nor more than five eligible  
13 persons nominated by a judicial nominating  
14 commission. The commission shall make  
15 nominations to fill a vacancy not more  
16 than thirty days prior to nor more than  
17 sixty days after the occurrence of the  
18 vacancy. (If the judicial nominating com-  
19 mission has not presented its list of  
20 nominees to the governor within sixty days  
21 after the occurrence of the vacancy, the  
22 governor may make an appointment without  
23 the benefit of nominations from the com-  
24 mission.)

*[Signature]*

*42A*

*95N*



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 23 to*  
*JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
• Tawes			Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		• Kirkland			Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
• Abramson			• Darby			• Kosakowski			Rush	•	
Adkins		•	• Della			Koss		•	• Rybczynski		
• Anderson			• Dorsey			Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	• Eckenrode			Macdonald		•	Sherbow		•
• Barrick			Finch		•	Malkus			Sickles		•
• Baumann			Fornos		•	Marion		•	• Siewierski		
Beachley		•	Fox		•	Mason		•	Singer		•
• Beall			• Frederick			Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
• Blair			Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.			• Sosnowski		
Borom		•	Gill		•	Mitchell		•	• Soul		
Bothe		•	• Gleason			Morgan		•	Stern		•
Boyce		•	• Grant			Moser		•	• Storm		
• Boyer			Groh		•	Mosner		•	Sybert		•
Boyles		•	• Grumbacher			Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	• Murphy			Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	• Vecera		
• Burgess			Hargrove		•	Needle		•	Wagandt		•
Bushong		•	• Harkness			Neilson		•	• Webb		
Buzzell		•	• Harris			Neumann		•	Webster	•	
Byrnes		•	Henderson		•	O'Connor		•	• Weidemeyer		
• Caldwell			• Hickman			• Pascal			• Wheatley		
• Cardin			Hopkins		•	Penniman		•	White		•
Carson		•	• Hostetter			• Peters			Willis		•
Case		•	• Hutchinson			Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
• Child			• Johnson			Pullen		•			
Cicone		•	• Kahl			Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	• 0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
• 4 4	4 4	4 4
5 5	5 5	• 5 5
6 6	6 6	6 6
7 7	7 7	7 7
8 8	8 8	8 8
9 9	9 9	• 9 9

DEL. PRO.	COM. REC.
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RESO.	600
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3-R.	800
QUO.	900
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SEPT.	7
OCT.	8
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DEC.	0





# CS Constitutional Convention

AMENDMENT NO. 24

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE ADKINS

1 On page 4 Section 5.14 Nomination and  
2 Appointment line 40 strike out the word  
3 "two" and insert in lieu thereof the word  
4 "three".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 24*  
*to JB-1*

YEAS	N-V	NAYS
● President		
● Tawes		
● Clark, J.		
● James		
● Abramson		
● Adkins		
● Anderson		
● Armor		
● Bamberger		
● Bard ●		
● Barrick		
● Baumann ●		
● Beachley		
● Beall		
● Bennett ●		
● Blair		
● Boileau		
● Borom		
● Bothe		
● Boyce		
● Boyer		
● Boyles		
● Bradshaw		
● Bryson		
● Burdette		
● Burgess		
● Bushong		
● Buzzell		
● Byrnes		
● Caldwell		
● Cardin		
● Carson		
● Case		
● Chabot		●
● Child		
● Cicone		

YEAS	N-V	NAYS
● Clagett		
● Clarke, E. J.		
● Cleveland ●		
● Dabrowski		
● Darby		
● Della		
● Dorsey		
● Dukes		
● Dulany		
● Eckenrode		
● Finch		
● Fornos		
● Fox		
● Frederick		
● Freedlander		●
● Gallagher		●
● Gilchrist		
● Gill		
● Gleason		●
● Grant		●
● Groh		
● Grumbacher		
● Gullett		
● Hanson		
● Hardwicke		●
● Hargrove		
● Harkness		
● Harris		
● Henderson		●
● Hickman		●
● Hopkins		
● Hostetter		
● Hutchinson		
● Jett		
● Johnson		
● Kahl		

YEAS	N-V	NAYS
● Key		
● Kiefer		
● Kirkland		
● Koger		●
● Kosakowski		
● Koss		
● Leitzel		
● Linton		
● Lord		●
● Macdonald		●
● Malkus		
● Marion		●
● Mason		
● Maurer		
● Mentzer		
● Miller, B.		
● Miller, E. T.		
● Mitchell		
● Morgan		
● Moser		
● Mosner		
● Mudd		●
● Murphy		
● Murray, D. S.		
● Murray, E. C.		
● Needle		
● Neilson		
● Neumann		
● O'Connor		
● Pascal		
● Penniman		
● Peters		
● Powers		
● Price		●
● Pullen		
● Raley		

YEAS	N-V	NAYS
● Robey, F. C.		
● Robie, K. L.		
● Rollins		
● Rosenstock		●
● Rush		
● Rybczynski		
● Scanlan		
● Schloeder		
● Schneider		●
● Sherbow		
● Sickles		
● Siewierski		●
● Singer		
● Smith, J. H.		
● Smith, M. H.		●
● Sollins		
● Sosnowski		
● Soul		
● Stern		
● Storm		
● Sybert		
● Taylor, H. E.		
● Taylor, L.		
● Ulrich		
● Vecera		
● Wagandt		
● Webb		
● Webster ●		
● Weidemeyer		●
● Wheatley		
● White		
● Willis		
● Willoner		
● Winslow		

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	● 0 0	0 0
● 1 1	1 1	● 1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7 ●	7 7 ●	7 7
8 8	8 8	8 8 ●
9 9	9 9	9 9

DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
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RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

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SEPT.	7	
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DEC.	0	●



CF

# Constitutional Convention

AMENDMENT NO. 25

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE CHABOT

1 On page 4 Section 5.14 Nomination and  
2 Appointment in lines 38 through 42, inclusive,  
3 strike out the sentence beginning with the  
4 words "The governor" in line 38 down to and  
5 including the word "commission." in line  
6 42 and insert in lieu thereof the following:

7  
8 "The governor shall fill a vacancy on the  
9 Court of Appeals or on the Intermediate  
10 Appellate Court by appointing one person  
11 from a list of no fewer than three nor more  
12 than five eligible persons nominated by  
13 the Appellate Courts Nominating Commission.  
14 The governor shall fill a vacancy on the  
15 Superior Court or on the District Court by  
16 appointing one person from a list of no  
17 fewer than two nor more than five eligible  
18 persons nominated by the Trial Courts Nomina-  
19 ting Commission authorized to make nomina-  
20 tions for that vacancy."

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*Out for*  
*24*

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*17*  
*116 N*





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 25  
to JB - 1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key		•	Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson		•	Darby		•	Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey		•	Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	• Schloeder		
Bamberger		•	Dulany		•	Lord		•	• Schneider		
Bard	•		Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus		•	Sickles		•
Baumann	•		Fornos		•	• Marion			• Siewierski		
Beachley		•	Fox		•	Mason		•	Singer		•
Beall		•	• Frederick			• Maurer			Smith, J. H.		•
Bennett	•		Freedlander		•	Mentzer	•		• Smith, M. H.		
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.			Sosnowski		•
Borom		•	Gill		•	Mitchell		•	Soul		•
Bothe		•	• Gleason			Morgan		•	Stern		•
Boyce		•	• Grant			Moser		•	• Storm		
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	• Murphy			Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris		•	Neumann		•	Webster	•	
Byrnes		•	• Henderson			O'Conor		•	Weidemeyer		•
• Caldwell		•	Hickman		•	Pascal		•	Wheatley		•
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson		•	Hostetter		•	Peters		•	Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
• Chabot			• Jett			Price	•		Winslow		•
• Child			Johnson		•	Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
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DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
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RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

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BP  
**Constitutional Convention**

AMENDMENT NO. 26

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE      MITCHELL

1    On page 4 Section 5.14 Nomination and  
2    Appointment in lines 45 and 46 strike out  
3    the words: "If the governor fails to" and  
4    insert in lieu thereof the words: "The  
5    governor shall"; and in lines 47 through 50  
6    strike out beginning with the words ", his  
7    power" in line 47 down to and including the  
8    letters "nees" in line 50.

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 26*  
*to J13-1*

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	• Key			• Robey, F. C.		
Tawes			Clarke, E. J.			• Kiefer	•		• Robie, K. L.		•
Clark, J.			Cleveland	•		• Kirkland			• Rollins		•
James	•		Dabrowski		•	• Koger			• Rosenstock		•
Abramson			Darby		•	• Kosakowski			• Rush		
Adkins			Della		•	• Koss		•	• Rybczynski		
Anderson			• Dorsey			• Leitzel	•		• Scanlan		•
Armor	•		• Dukes			• Linton		•	• Schloeder		•
Bamberger	•		Dulany		•	• Lord		•	• Schneider		•
Bard	•		• Eckenrode			• Macdonald		•	• Sherbow		•
Barrick			Finch		•	• Malkus	•		• Sickles		•
Baumann			• Fornos			• Marion		•	• Siewierski		
Beachley	•		Fox		•	• Mason			• Singer		•
Beall			Frederick		•	• Maurer			• Smith, J. H.		•
Bennett			Freedlander		•	• Mentzer			• Smith, M. H.		•
Blair	•		Gallagher	•		• Miller, B.			• Sollins		•
Boileau	•		• Gilchrist			• Miller, E. Y.			• Sosnowski		
Borom			• Gill			• Mitchell			• Soul		•
Bothe	•		• Gleason			• Morgan			• Stern		•
Boyce	•		Grant		•	• Moser		•	• Storm		•
Boyer	•		Groh		•	• Mosner		•	• Sybert		•
Boyles	•		Grumbacher	•		• Mudd		•	• Taylor, H. E.		•
Bradshaw	•		Gullett	•		• Murphy			• Taylor, L.		
Bryson	•		• Hanson			• Murray, D. S.		•	• Ulrich		•
Burdette			• Hardwicke			• Murray, E. C.		•	• Vecera		•
Burgess			Hargrove		•	• Needle	•		• Wagandt		•
Bushong	•		• Harkness			• Neilson		•	• Webb		
Buzzell	•		• Harris			• Neumann		•	• Webster		•
Byrnes	•		• Henderson		•	• O'Conor		•	• Weidemeyer		
Caldwell	•		• Hickman			• Pascal		•	• Wheatley		
Cardin			• Hopkins		•	• Penniman			• White		
Carson			• Hostetter			• Peters		•	• Willis		•
Case	•		• Hutchinson			• Powers		•	• Willoner		•
Chabot	•		Jett		•	• Price	•		• Winslow		•
Child	•		• Johnson			• Pullen					
Cicone	•		• Kahl			• Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	• 1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	• 5 5
6 6	6 6	6 6
7 7	7 7	• 7 7
8 8	8 8	8 8
9 9	9 9	9 9

DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	• 20 2
3000 300	30 3
4000 400	40 4
	50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
MOT. 000	00 0

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# Constitutional Convention

AMENDMENT NO. 27

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE CHABOT

1 On page 4 Section 5.14 Nomination and  
2 Appointment in line 45 after the word "vacancy"  
3 add this sentence:

4  
5 "If a list sufficient to meet the require-  
6 ments of this section has been timely re-  
7 ceived by the governor, but, before the vacancy  
8 has been filled, the number of persons on such  
9 a list has been reduced by the ineligibility of  
10 one or more nominees so that the list is no  
11 longer sufficient, the governor may return the  
12 list to the nominating commission, which shall  
13 present him with another sufficient list within  
14 thirty days thereafter."

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 27*  
*to J 13-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		●	Clagett		●	Key		●	Robey, F. C.		●
Tawes		●	Clarke, E. J.		●	Kiefer		●	Robie, K. L.		●
● Clark, J.			Cleveland	●		Kirkland		●	Rollins		●
James		●	Dabrowski		●	Koger		●	Rosenstock		●
Abramson	●		Darby		●	Kosakowski		●	Rush		●
● Adkins			Della		●	Koss		●	Rybczynski		●
Anderson		●	Dorsey		●	Leitzel	●		Scanlan		●
Armor		●	Dukes		●	Linton		●	Schloeder		●
Bamberger		●	Dulany		●	Lord		●	Schneider		●
Bard	●		Eckenrode		●	Macdonald		●	Sherbow		●
Barrick		●	Finch		●	Malkus	●		Sickles		●
Baumann	●		Fornos		●	Marion		●	Siewierski		●
Beachley		●	Fox		●	Mason		●	Singer		●
Beall	●		Frederick		●	Maurer		●	Smith, J. H.		●
● Bennett			Freedlander		●	Mentzer		●	Smith, M. H.		●
Blair		●	Gallagher		●	Miller, B.		●	Sollins		●
Boileau		●	Gilchrist		●	Miller, E. ●			Sosnowski		●
Borom		●	Gill		●	● Mitchell			Soul		●
Bothe		●	Gleason		●	Morgan		●	Stern		●
Boyce		●	Grant		●	Moser		●	Storm		●
Boyer		●	Groh		●	Mosner		●	Sybert		●
Boyles		●	Grumbacher		●	Mudd		●	Taylor, H. E.		●
Bradshaw		●	Gullett	●		Murphy		●	Taylor, L.		●
Bryson		●	Hanson		●	Murray, D. S.		●	Ulrich		●
● Burdette			Hardwicke		●	Murray, E. C.		●	Vecera		●
Burgess		●	Hargrove		●	Needle	●		Wagandt		●
Bushong	●		● Harkness			Neilson		●	Webb		●
Buzzell		●	Harris		●	Neumann		●	Webster	●	
● Byrnes			Henderson		●	O'Connor		●	Weidemeyer		●
Caldwell		●	Hickman		●	Pascal		●	Wheatley	●	
Cardin		●	Hopkins		●	Penniman		●	White		●
Carson		●	Hostetter		●	Peters		●	Willis		●
Case		●	Hutchinson		●	Powers		●	Willoner		●
● Chabot			Jett		●	Price	●		Winslow		●
● Child			Johnson		●	Pullen		●			
Cicone		●	Kahl		●	Raley		●			

YEAS	N-V	NAYS
100-200	100-200	● 100-200
● 0 0	0 0	0 0
1 1	● 1 1	● 1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7	7 7	7 7
8 8	8 8	8 8
9 9	9 9	9 9 ●

DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	● 20 2
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4000 400	40 4
	500 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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DEC.	0 ●



CM

# Constitutional Convention


AMENDMENT NO. 28

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE MALKUS

1 On page 4 Section 5.14 Nomination and  
2 Appointment in lines 39 through 50 strike  
3 out beginning with the words "appointing  
4 one person" in line 39 down to and including  
5 the letters "nees " in line 50 and insert  
6 in lieu thereof the words "appointing a  
7 person to fill the vacancy".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 28*  
*to JB - 1*

25

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Tawes	•		Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson		•	Darby	•		Kosakowski	•		Rush	•	
Adkins		•	Della	•		Koss		•	Rybczynski	•	
Anderson	•		Dorsey	•		Leitzel	•		Scanlan	•	
Armor		•	Dukes		•	Linton	•		Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider	•	
Bard	•		Eckenrode	•		Macdonald		•	Sherbow		•
Barrick	•		Finch	•		Malkus	•		Sickles		•
Baumann	•		Fornos		•	Marion		•	Siewierski	•	
Beachley		•	Fox		•	Mason		•	Singer		•
Beall	•		Frederick	•		Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski	•	
Borom		•	Gill		•	Mitchell		•	Soul	•	
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant	•		Moser		•	Storm	•	
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera	•	
Burgess		•	Hargrove		•	Needle	•		Wagandt		•
Bushong		•	Harkness	•		Neilson		•	Webb	•	
Buzzell		•	Harris		•	Neumann		•	Webster	•	
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer	•	
Caldwell		•	Hickman		•	Pascal	•		Wheatley		•
Cardin		•	Hopkins		•	Penniman	•		White		•
Carson		•	Hostetter	•		Peters	•		Willis		•
Case		•	Hutchinson	•		Powers		•	Willoner		•
Chabot		•	Jett		•	Price	•		Winslow		•
Child		•	Johnson	•		Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN. 2
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3 3 •	3 3	3 3	4000 400	40 4	3
4 4	4 4	4 4	500 50	50 5	4
5 5	5 5	5 5	RESO. 600	60 6	5
6 6	6 6	6 6	2-R. 700	70 7	6
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# Constitutional Convention

AMENDMENT NO. 29

~~Fix Amendment No. xxxxxxxx~~

To Committee Recommendation No. JB-1

BY DELEGATE S DUKES, KIEFER

1 On page 4 Section 5.14 Nomination and  
2 Appointment line 40 strike out the word  
3 "five" and insert in lieu thereof the word  
4 "ten".

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 29*  
*to JB-1*

2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
Awes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Bramson		•	Darby		•	Kosakowski		•	Rush		•
Dkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey		•	Leitzel		•	Scanlan		•
rmor		•	Dukes		•	Linton		•	Schloeder		•
Amberger		•	Dulany		•	Lord		•	Schneider		•
ard		•	Eckenrode		•	Macdonald		•	Sherbow		•
arrick		•	Finch		•	Malkus		•	Sickles		•
aumann		•	Fornos		•	Marion		•	Siewierski		•
eachley		•	Fox		•	Mason		•	Singer		•
Ball		•	Frederick		•	Maurer		•	Smith, J. H.		•
ennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
air		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. C.		•	Sosnowski		•
rom		•	Gill		•	Mitchell		•	Soul		•
othe		•	Gleason		•	Morgan		•	Stern		•
oyce		•	Grant		•	Moser		•	Storm		•
oyer		•	Groh		•	Mosner		•	Sybert		•
oyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
radshaw		•	Gullett		•	Murphy		•	Taylor, L.		•
ryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
urdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
urgess		•	Hargrove		•	Needle		•	Wagandt		•
ushong		•	Harkness		•	Neilson		•	Webb		•
uzzell		•	Harris		•	Neumann		•	Webster		•
yrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
aldwell		•	Hickman		•	Pascal		•	Wheatley		•
ardin		•	Hopkins		•	Penniman		•	White		•
arson		•	Hostetter		•	Peters		•	Willis		•
ase		•	Hutchinson		•	Powers		•	Willoner		•
habot		•	Jett		•	Price		•	Winslow		•
hild		•	Johnson		•	Pullen		•			
icone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			
0 0	0 0	0 0	1000 100	10 1	JAN. 2
1 1	1 1	1 1	2000 200	20 2	3
2 2	2 2	2 2	3000 300	30 3	1
3 3	3 3	3 3	4000 400	40 4	2
4 4	4 4	4 4	500 500	50 5	3
5 5	5 5	5 5	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
7 7	7 7	7 7	3-R. 800	80 8	6
8 8	8 8	8 8	QUO. 900	90 9	SEPT. 7
9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
					NOV. 9
					DEC. 0



AD  
**Constitutional Convention**

**AMENDMENT NO.** 30

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S                      Fornos, Fox, Boileau

1        On page 5 Section 5.15 Appellate Courts  
2        Nominating Commission line 10, add the  
3        following: "No more than two members of the  
4        Commission may be residents of the same  
5        county."  
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51-A

72-N





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 30*

*to JB - 1*

2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key		•	Robey, F. C.		•
awes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
lark, J.			Cleveland		•	Kirkland		•	Rollins		•
ames		•	Dabrowski		•	Koger		•	Rosenstock		•
abramson			Darby		•	Kosakowski		•	Rush		•
adkins			Della		•	Koss		•	Rybczynski		•
Anderson			Dorsey		•	Leitzel	•		Scanlan		•
armor		•	Dukes		•	Linton		•	Schloeder		•
amberger			Dulany		•	Lord		•	Schneider		•
ard		•	Eckenrode		•	Macdonald		•	Sherbow		•
arrick		•	Finch		•	Malkus		•	Sickles		•
aumann		•	Fornos		•	Marion		•	Siewierski		•
eachley			Fox		•	Mason		•	Singer		•
eaill		•	Frederick	•		Maurer		•	Smith, J. H.		•
ennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
lair		•	Gallagher		•	Miller, B.		•	Sollins		•
oileau		•	Gilchrist		•	Miller, E. C.		•	Sosnowski		•
orom		•	Gill		•	Mitchell		•	Soul		•
othe		•	Gleason		•	Morgan		•	Stern		•
oyce			Grant		•	Moser		•	Storm		•
oyer			Groh		•	Mosner		•	Sybert		•
oyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
radshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
ryson			Hanson		•	Murray, D. S.		•	Ulrich		•
urdette			Hardwicke		•	Murray, E. C.		•	Vecera	•	
urgess			Hargrove		•	Needle	•		Wagandt		•
ushong			Harkness		•	Neilson		•	Webb		•
uzzell		•	Harris		•	Neumann		•	Webster	•	
yrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
aldwell			Hickman		•	Pascal		•	Wheatley		•
ardin			Hopkins		•	Penniman		•	White		•
arson	•		Hostetter		•	Peters		•	Willis		•
ase		•	Hutchinson		•	Powers		•	Willoner		•
habot		•	Jett		•	Price	•		Winslow		•
hild			Johnson		•	Pullen		•			
icone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
00-200	100-200	100-200			JAN. 2
0	0 0	0 0	1000	100 10 1	3
1	1 1	1 1	2000	200 20 2	1
2	2 2	2 2	3000	300 30 3	2
3	3 3	3 3	4000	400 40 4	3
4	4 4	4 4		500 50 5	4
5	5 5	5 5	RESO.	600 60 6	5
6	6 6	6 6	2-R.	700 70 7	6
7	7 7	7 7	3-R.	800 80 8	SEPT. 7
8	8 8	8 8	QUO.	900 90 9	OCT. 8
9	9 9	9 9	MOT.	000 00 0	NOV. 9
					DEC. 0



# Constitutional Convention

AMENDMENT NO. 31

To Accompany Minority Report No. JB-1

~~TOX AMENDMENT NO XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 5 Section 5.15 Appellate Courts  
2 Nominating Commission lines 8 and 9, strike  
3 out the two commas, insert the word "and"  
4 following the word "persons"; and strike  
5 out the words "and one judge of the Court  
6 of Appeals".

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106-A

20-N

Essential ingredient

to the Nile plan

↓ assign bad  
Motives to the judges →

— rely heavily upon the  
opinions

~~and~~  
awesome responsibility  
just as free as possible

CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 31*  
*to J13-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President	0	Clagett	0	Key	Robey, F. C.	0		Robey, F. C.	0	
es		Clarke, E. J.		Kiefer	Robie, K. L.			Robie, K. L.		
ck, J.		Cleveland		Kirkland	Rollins			Rollins		
es		Dabrowski		Koger	Rosenstock	0		Rosenstock	0	
imson		Darby		Kosakowski	Rush			Rush		
ins		Della		Koss	Rybczynski			Rybczynski		
erson		Dorsey		Leitzel	Scanlan			Scanlan		
or	0	Dukes	0	Linton	Schloeder			Schloeder		
berger		Dulany	0	Lord	Schneider			Schneider		
		Eckenrode		Macdonald	Sherbow	0		Sherbow	0	
ck		Finch		Malkus	Sickles			Sickles		
mann	0	Fornos		Marion	Siewierski		0	Siewierski		0
chley		Fox		Mason	Singer			Singer		
		Frederick	0	Maurer	Smith, J. H.	0		Smith, J. H.	0	
ett		Freedlander		Mentzer	Smith, M. H.	0		Smith, M. H.	0	
li		Gallagher		Miller, B.	Sollins			Sollins		
au		Gilchrist		Miller, E. G.	Sosnowski			Sosnowski		
n		Gill		Mitchell	Soul			Soul		
to		Gleason		Morgan	Stern			Stern		
ya		Grant		Moser	Storm	0		Storm	0	
y	0	Groh		Mosner	Sybert			Sybert		
ys		Grumbacher		Mudd	Taylor, H. E.		0	Taylor, H. E.		0
haw	0	Gullett	0	Murphy	Taylor, L.		0	Taylor, L.		0
n		Hanson		Murroy, D. S.	Ulrich		0	Ulrich		0
otte		Hardwicke		Murray, E. C.	Vecera	0		Vecera	0	
ss		Hargrove	0	Needle	Wagandt			Wagandt		
ng		Harkness		Neilson	Webb			Webb		
ll		Harris		Neumann	Webster	0		Webster	0	
is	0	Henderson		O'Connor	Weidemeyer			Weidemeyer		
rell		Hickman		Pascal	Wheatley			Wheatley		
n		Hopkins		Penniman	White			White		
n		Hostetter		Peters	Willis			Willis		
e		Hutchinson		Powers	Willoner		0	Willoner		0
ot		Jett		Price	Winslow		0	Winslow		0
e	0	Johnson		Pullen						
ce		Kahl		Raley						

N-V	NAYS	DEL. PRO.	COM. REC.	DATE: 1
100-200	100-200			JAN. 2
0	0	1000	10	3
1	1	2000	20	1
2	2	3000	30	2
3	3	4000	40	3
4	4		50	4
5	5		60	5
6	6	RESO.	70	6
7	7	2-R.	80	7
8	8	3-R.	90	8
9	9	QUO.	00	9
		MOT.		NOV. 9
				DEC. 0





# Constitutional Convention

AMENDMENT NO. 32

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE B. MILLER

1 On page 4 Section 5.14 Nomination and  
2 Appointment in lines 45 through 50, inclusive,  
3 strike out beginning with the words "If the  
4 governor" in line 45 down to and including the  
5 period in line 50 and insert in lieu thereof  
6 the following:

7  
8 "The governor shall appoint one of the  
9 nominees within thirty days after receiving  
10 the list."

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*Unf*

*31-A*

*86-N*





# CONSTITUTIONAL CONVENTION OF MARYLAND

1967

## ROLL CALL

*Amend 32*

*to JB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ident	○	Clagett	○	○	Key			Robey, F. C.		○
es	○	Clarke, E. J.	○	○	Kiefer		○	Robie, K. L.		○
ck, J.		Cleveland	○		Kirkland	○		Rollins		○
es	○	Dabrowski	○		Koger		○	Rosenstock		○
lamson		Darby		○	Kosakowski		○	Rush		○
ins	○	Della		○	Koss			Rybczynski		○
erson		Dorsey		○	Leitzel	○		Scanlan		○
or	○	Dukes		○	Linton		○	Schloeder	○	
berger	○	Dulany		○	Lord		○	Schneider		○
id	○	Eckenrode	○		Macdonald		○	Sherbow		○
ick	○	Finch		○	Malkus	○		Sickles		○
mann	○	Fornos			Marion		○	Siewierski		○
chley		Fox	○		Mason			Singer		○
l	○	Frederick	○		Maurer	○		Smith, J. P.		○
nett	○	Freedlander		○	Mentzer			Smith, M. H.		○
	○	Gallagher		○	Miller, B.			Sollins		○
au	○	Gilchrist		○	Miller, E. G.			Sosnowski		○
m	○	Gill			Mitchell			Soul		○
re	○	Gleason		○	Morgan		○	Stern		○
ne	○	Grant		○	Moser		○	Storm		○
er	○	Groh		○	Mosner		○	Sybert		○
es	○	Grumbacher		○	Mudd		○	Taylor, H. E.		○
shaw	○	Gullett	○		Murphy	○		Taylor, L.		○
n	○	Hanson		○	Murray, D. S.		○	Ulrich		○
ette		Hardwicke			Murray, E. C.		○	Vecera	○	
ress	○	Hargrove		○	Needle	○		Wagandt		○
song	○	Harkness		○	Neilson		○	Webb		○
zell	○	Harris		○	Neumann		○	Webster	○	
res	○	Henderson		○	O'Connor		○	Weidemeyer		○
lwell	○	Hickman		○	Pascal			Wheatley		○
in		Hopkins		○	Penniman			White		○
on		Hostetter			Peters			Willis		○
s	○	Hutchinson			Powers		○	Willoner		○
oot	○	Jett		○	Price	○		Winslow		○
i	○	Johnson		○	Pulien		○			
ie	○	Kahl	○		Raley		○			

ES	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
000	100-200	100-200			JAN. 2
0	0	0	1000	100	3
1	1	1	2000	200	1
2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	7
8	8	8	QUO.	900	8
9	9	9	MUT.	000	9
					DEC. 0



CX

# Constitutional Convention

AMENDMENT NO. 33

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE GLEASON

1 On page 4 Section 5.14 Nomination and  
2 Appointment strike out lines 38 through 45,  
3 inclusive, and insert in lieu thereof the fol-  
4 lowing:

5  
6 "The governor shall, with the advice and con-  
7 sent of the Senate, fill a vacancy in the  
8 office of judge. Prior to submitting the  
9 name of his appointee to the Senate, the  
10 governor shall receive a list of no fewer than  
11 three nor more than five eligible persons  
12 nominated by a judicial nominating commission.  
13 If the governor fails".

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✓ delete "one of the nominees"



39-A

78-N



# CONSTITUTIONAL CONVENTION OF MARYLAND

1967  
ROLL CALL

*Amend 33*

*\* JB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
Advent		Clagett			Key			Robey, F. C.		
As	0	Clarke, E. J.		0	Kiefer		0	Robie, K. L.		0
B, J.	0	Cleveland			Kirkland			Rollins		0
Bres	0	Dabrowski			Koger		0	Rosenstock		0
Brimson		Darby	0		Kosakowski			Rush		
Bins	0	Della			Koss		0	Rybczynski		
Berson		Dorsey			Leitzel	0		Scanlan	0	
Bor	0	Dukes		0	Linton			Schloeder		
Berger	0	Dulany		0	Lord		0	Schneider		0
B	0	Eckenrode			Macdonald		0	Sherbow		0
Bock	0	Finch		0	Malkus			Sickles		0
Bmann	0	Fornos		0	Marion		0	Siewierski	0	
Bchley	0	Fox	0		Mason			Singer		0
B	0	Frederick			Maurer		0	Smith, J. H.		0
Bnett	0	Freedlander			Mentzer		0	Smith, M. H.		0
B		Gallagher		0	Miller, B.		0	Sollins		0
Bilau		Gilchrist		0	Miller, E. G.			Sosnowski		
Bn	0	Gill	0		Mitchell			Soul		
B	0	Gleason			Morgan		0	Stern		0
B	0	Grant			Moser		0	Storm		
B	0	Groh			Mosner		0	Sybert		0
B	0	Grumbacher		0	Mudd		0	Taylor, H. E.		0
Bhaw	0	Gullett	0		Murphy	0		Taylor, L.	0	
Bn	0	Hanson		0	Murray, D. S.		0	Ulrich		0
Bette		Hardwicke		0	Murray, E. C.		0	Vecera	0	
B	0	Hargrove		0	Needle	0		Wagandt		0
B	0	Harkness			Neilson		0	Webb		
B	0	Harris			Neumann		0	Webster	0	
B	0	Henderson		0	O'Connor		0	Weidemeyer		
Bkrell		Hickman			Pascal	0		Wheatley		
Bn		Hopkins		0	Penniman			White		
Bn	0	Hostetter			Peters			Willis		0
B	0	Hutchinson			Powers		0	Willoner		0
B	0	Jett		0	Price	0		Winslow		0
B	0	Johnson			Pullen		0			
B	0	Kahl			Raley		0			

0-5	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	7
8	8	8	QUO.	900	8
9	9	9	MOT.	000	9
					DEC. 0





CK

# Constitutional Convention

AMENDMENT NO. 32 34

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES CLARK, RALEY

1 On page 5 Section 5.16 Trial Courts Nomi-  
2 nating Commission line 21, strike out the  
3 word "five" and insert in lieu thereof the  
4 word "six"; and

5  
6 On page 5 lines 22 and 23, strike out  
7 the following ", and one judge"; and

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9 On page 6 Section 5.19 Judicial Member  
10 of Nominating Commissions, lines 6 through  
11 8, strike out all of the last sentence in  
12 the section.  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 34*  
*to 513 -1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
edent		Claggett			Key			Robey, F. C.		
os		Clarke, E. J.			Kiefer			Robie, K. CL.		
or, J.		Cleveland			Kirkland			Rollins		
es		Dabrowski			Koger			Rosenstock		
imson		Darby			Kosakowski			Rush		
ns		Della			Koss			Rybozynski		
erson		Dorsey			Leitzel			Scanlan		
or		Dukes			Linton			Schloeder		
berger		Dulany			Lord			Schneider		
		Eckenrode			Macdonald			Sherbow		
ck		Finch			Malkus			Sickles		
mann		Fornos			Marion			Siewierski		
chley		Fox			Mason			Singer		
		Frederick			Maurer			Smith, J. H.		
rett		Freedlander			Mentzer			Smith, M. H.		
		Gallagher			Miller, B.			Sollins		
iau		Gilchrist			Miller, E. Q.			Sosnowski		
rn		Gill			Mitchell			Soul		
te		Gleason			Morgan			Stern		
ye		Grant			Moser			Storm		
yr		Groh			Mosner			Sybert		
ys		Grumbacher			Mudd			Taylor, H. E.		
shaw		Gullett			Murphy			Taylor, L.		
on		Hanson			Murray, D. S.			Ulrich		
ette		Hardwicke			Murray, E. C.			Vecera		
ess		Hargrove			Needle			Wagandt		
ong		Harkness			Neilson			Webb		
ll		Harris			Neumann			Webster <i>Butler</i>		
es		Henderson			O'Connor <i>Smith</i>			Weidemeyer		
lvell		Hickman			Pascal			Wheatley		
tin		Hopkins			Penniman			White		
on		Hostetter			Peters			Willis		
s		Hutchinson			Powers			Willoner		
ot		Jett			Price			Winslow		
ne		Johnson			Pullen					
		Kahl			Raley					

ES	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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2	2 2	2 2	3000 300	30 3	2
3	3 3	3 3	4000 400	40 4	3
4	4 4	4 4	500	50 5	4
5	5 5	5 5	RESO. 600	60 6	5
6	6 6	6 6	2-R. 700	70 7	6
7	7 7	7 7	3-R. 800	80 8	SEPT. 7
8	8 8	8 8	QUO. 900	90 9	OCT. 8
9	9 9	9 9	MOT. 000	00 0	NOV. 9
					DEC. 0



BU

# Constitutional Convention

AMENDMENT NO. 35

~~XXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE SOLLINS

On page 5 Section 5.17 Lawyer Members of  
Nominating Commissions in lines 33 and 36,  
respectively, after the word "elected" in each  
instance insert the words "by secret ballot".

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# Constitutional Convention

AMENDMENT NO. 34 } 6

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To Committee Recommendation No. JB-1

BY DELEGATE ADKINS, Fournier

1 On page 5 Section 5.17 Lawyer Members  
2 of Nominating Commissions in line 40  
3 strike out the word "rule" and insert in  
4 lieu thereof the word "law".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 36*  
*to 513-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
slent	○	Claggett	○	○	Key			Robey, F. C.		
rs		Clarke, E. J.			Kiefer		○	Robie, K. CL.		
r J.		Cleveland			Kirkland	○		Rollins		
rs		Dabrowski			Koger			Rosenstock	○	
msc		Darby			Kosakowski			Rush		
ks		Della			Koss			Rybczynski		
erson		Dorsey			Leitzel			Scanlan		
rr		Dukes	○		Linton			Schloeder		
erger		Dulany		○	Lord		○	Schneider	○	
c		Eckenrode			Macdonald			Sherbow		
rk		Finch	○		Malkus	○		Sickles		
ann	○	Fornos			Marion		○	Siewierski		
ley		Fox			Mason			Singer		
		Frederick	○		Maurer			Smith, J. H.	○	
tt		Freedlander			Mentzer			Smith, M. H.	○	
		Gallagher			Miller, B.			Sollins		
au		Gilchrist			Miller, E. G.			Sosnowski	○	
ci		Gill			Mitchell			Soul		
		Gleason			Morgan			Stern		
		Grant			Moser			Storm		
		Groh			Mosner			Sybert	○	
	○	Grumbacher			Mudd		○	Taylor, H. E.		
naw	○	Gullett		○	Murphy			Taylor, L.		
sn		Hanson	○		Murray, D. S.		○	Ulrich		
ette		Hardwicke		○	Murray, E. C.			Vecera	○	
ess		Hargrove		○	Needle			Wagandt		
ng		Harkness			Neilson			Webb		
zl		Harris			Neumann			Webster	<i>Reflex</i>	
rs		Henderson		○	O'Connor	<i>Smith</i>		Weidemeyer		
ell		Hickman			Pascal			Wheatley		
ci		Hopkins			Penniman			White		
sn		Hostetter			Peters			Willis		
e		Hutchinson			Powers		○	Willoner		
bt		Jett			Price			Winslow	○	
e		Johnson			Pullen					
ss	○	Kahl			Raley					

	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
	100-200	100-200			JAN. 2
0	0	0	1000	100	3
1	1	1	2000	200	1
2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	SEPT. 7
8	8	8	QUO.	900	OCT. 8
9	9	9	MOT.	000	NOV. 9
					DEC. 0



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# Constitutional Convention

AMENDMENT NO. 37

To Accompany Minority Report JB-1  
~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, KUSH

1 On page 6 strike out all of lines 1 through  
2 8, inclusive, comprising all of Section  
3 5.19, Judicial Member of Nominating Com-  
4 missions.

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amended 37  
to JTB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
Claggett		Claggett			Key			Robey, F. C.		
Clarke, E. J.		Clarke, E. J.			Kiefer			Robie, K. L.		
Cleveland		Cleveland			Kirkland			Rollins		
Dabrowski		Dabrowski			Koger			Rosenstock		
Darby		Darby			Kosakowski			Rush		
Della		Della			Koss			Rybczynski		
Dorsey		Dorsey			Leitzel			Scanlan		
Dukes		Dukes			Linton			Schloeder		
Dulany		Dulany			Lord			Schneider		
Eckenrode		Eckenrode			Macdonald			Sherbow		
Finch		Finch			Malkus			Sicklos		
Fornos		Fornos			Marion			Siewierski		
Fox		Fox			Mason			Singer		
Frederick		Frederick			Maurer			Smith, J. H.		
Freedlander		Freedlander			Mentzer			Smith, M. H.		
Gallagher		Gallagher			Miller, B.			Sollins		
Gilchrist		Gilchrist			Miller, E. G.			Sosnowski		
Gill		Gill			Mitchell			Soul		
Gleason		Gleason			Morgan			Stern		
Grant		Grant			Moser			Storm		
Groh		Groh			Mosner			Sybert		
Grumbacher		Grumbacher			Mudd			Taylor, H. E.		
Gullett		Gullett			Murphy			Taylor, L.		
Hanson		Hanson			Murray, D. S.			Ulrich		
Hardwicke		Hardwicke			Murray, E. C.			Vecera		
Hargrove		Hargrove			Needle			Wagandt		
Harkness		Harkness			Neilson			Webb		
Harris		Harris			Neumann			Webster		
Henderson		Henderson			O'Connor			Weidemeyer		
Hickman		Hickman			Pascal			Wheatley		
Hopkins		Hopkins			Penniman			White		
Hostetter		Hostetter			Peters			Willis		
Hutchinson		Hutchinson			Powers			Willoner		
Jett		Jett			Price			Winslow		
Johnson		Johnson			Pullen					
Kahl		Kahl			Raley					

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100	100-200	100-200			JAN. 2
0	0	0	1000	100	3
1	1	1	2000	200	1
2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	7
8	8	8	QUO.	900	8
9	9	9	MOT.	000	9
					DEC. 0





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 38*  
*to JB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
dent		Clagett			Key			Robey, F. C.		
s		Clarke, E. J.			Kiefer			Robie, K. L.		
, J.		Cleveland			Kirkland			Rollins		
es		Dabrowski			Koger			Rosenstock		
mson		Darby			Kosakowski			Rush		
ns		Della			Koss			Rybczynski		
erson		Dorsey			Leitzel			Scanlan		
or		Dukes			Linton			Schloeder		
berger		Dulany			Lord			Schneider		
ck		Eckenrode			Macdonald			Sherbow		
hann		Finch			Malkus			Sickles		
hley		Fornes			Marion			Siewierski		
ett		Fox			Mason			Singer		
au		Frederick			Maurer			Smith, J. H.		
n		Freedlander			Mentzer			Smith, M. H.		
e		Gallagher			Miller, B.			Sollins		
ye		Gilchrist			Miller, E. Q.			Sosnowski		
r		Gill			Mitchell			Soul		
s		Gleason			Morgen			Stern		
haw		Grant			Moser			Storm		
n		Groh			Mosner			Sybert		
ette		Grumbacher			Mudd			Taylor, H. E.		
ess		Gullett			Murphy			Taylor, L.		
ong		Hanson			Murray, D. S.			Ulrich		
ll		Hardwicke			Murray, E. C.			Vecera		
es		Hargrove			Needle			Wagandt		
vell		Harkness			Neilson			Webb		
n		Harris			Neumann			Webster		
n		Henderson			O'Connor			Weidemeyer		
s		Hickman			Pascal			Wheatley		
ot		Hopkins			Penniman			White		
l		Hostetter			Peters			Willis		
e		Hutchinson			Powers			Willoner		
		Jett			Price			Winslow		
		Johnson			Pullen					
		Kahl			Raley					

ES	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
000	100-200	100-200			JAN. 2
0	0 0	0 0	1000 100	10 1	3
1	1 1	1 1	2000 200	20 2	1
2	2 2	2 2	3000 300	30 3	2
3	3 3	3 3	4000 400	40 4	3
4	4 4	4 4	500 500	50 5	4
5	5 5	5 5	RESO. 600	60 6	5
6	6 6	6 6	2-R. 700	70 7	6
7	7 7	7 7	3-R. 800	80 8	7
8	8 8	8 8	QUO. 900	90 9	8
9	9 9	9 9	MOY. 000	00 0	9
					DEC. 0



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# Constitutional Convention

AMENDMENT NO. 39

~~XXXXXXXXXXXX~~ \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATE MUDD

- 1 On page 6 Section 5.20 Rules Governing
- 2 Nominating Commissions in line 24 after the
- 3 period add this new sentence:
- 4
- 5 "A member of a commission shall receive no com-
- 6 pensation for his services."
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# Constitutional Convention

AMENDMENT NO. 39

~~XXXXXXXXXXXX~~ \_\_\_\_\_

To Committee Recommendation No. -JB-1-

BY DELEGATE MUDD

1 On page 6 Section 5.20 Rules Governing  
2 Nominating Commissions in lines 16 and 19  
3 respectively strike out in each instance the  
4 word: "non-judicial".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 39*  
*to J-13-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
dent		Clagett			Key			Robey, F.O.C.		
rs		Clarke, E. J.			Kiefer			Robie, K. L.		
, J.		Cleveland			Kirkland			Rollins		
ns		Dabrowski			Koger			Rosenstock		
msor		Darby			Kosakowski			Rush		
ns		Della			Koss			Rybczynski		
erson		Dorsey			Leitzel			Scanlan		
or		Dukes			Linton			Schloeder		
berger		Dulany			Lord			Schneider		
ck		Eckenrode			Macdonald			Sherbow		
mann		Finch			Malkus			Sickles		
shley		Fornos			Marion			Siewierski		
		Fox			Mason			Singer		
		Frederick			Maurer			Smith, J. H.		
ett		Freedlander			Mentzer			Smith, M. H.		
i		Gallagher			Miller, B.			Sollins		
lau		Gilchrist			Miller, E. O.			Sosnowski		
m		Gill			Mitchell			Soul		
		Gleason			Morgan			Stern		
ya		Grant			Moser			Storm		
y		Groh			Mosner			Sybert		
s		Grumbacher			Mudd			Taylor, H. E.		
shaw		Gullett			Murphy			Taylor, L.		
n		Hanson			Murray, D. S.			Ulrich		
otte		Hardwicke			Murray, E. C.			Vecera		
ess		Hargrove			Needle			Wagandt		
ing		Harkness			Neilson			Webb		
all		Harris			Neumann			Webster		
ns		Henderson			O'Connor			Weidemeyer		
well		Hickman			Pascal			Wheatley		
rn		Hopkins			Penniman			White		
rn		Hostetter			Peters			Willis		
s		Hutchinson			Powers			Willoner		
pot		Jett			Price			Winslow		
l		Johnson			Pullen					
ke		Kahl			Raley					

ES	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
010	100-200	100-200			JAN. 2
0	0	0	1000	100	3
1	1	1	2000	200	1
2	2	2	3000	300	2
3	3	3	4000	400	3
4	4	4		500	4
5	5	5	RESO.	600	5
6	6	6	2-R.	700	6
7	7	7	3-R.	800	SEPT. 7
8	8	8	QUO.	900	OCT. 8
9	9	9	MOT.	000	NOV. 9
					DEC. 0





# Constitutional Convention

AMENDMENT NO. 40

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE MALKUS

1 On page 6, Section 5.20 Rules Governing  
2 Nominating Commissions, in line 24 after the  
3 period add this new sentence:

4  
5 "All meetings of commissions shall be  
6 public meetings and shall be open to the  
7 public and the press."  
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*FBI reports*  
*ones not listed*



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL.

*Amend 40*  
*to JB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
dent	○	Claggett	○	Key	○	Robey, F. C.	○			
s	○	Clarke, E. J.	○	Kiefer	○	Robie, K. L.	○			
, J.	○	Cleveland	○	Kirkland	○	Rollins	○			
s	○	Dabrowski	○	Koger	○	Rosenstock	○			
mson	○	Darby	○	Kosakowski	○	Rush	○			
s	○	Della	○	Koss	○	Rybczynski	○			
erson	○	Dorsey	○	Leitzel	○	Scanlan	○			
or	○	Dukes	○	Linton	○	Schloeder	○			
berger	○	Dulany	○	Lord	○	Schneider	○			
	○	Eckenrode	○	Macdonald	○	Sherbow	○			
ck	○	Finch	○	Malkus	○	Sickles	○			
mann	○	Fornos	○	Marion	○	Siewierski	○			
nley	○	Fox	○	Mason	○	Singer	○			
	○	Frederick	○	Maurer	○	Smith, J. H.	○			
ett	○	Freedlander	○	Mentzer	○	Smith, M. H.	○			
i	○	Gallagher	○	Miller, B.	○	Sollins	○			
lau	○	Gilchrist	○	Miller, E. G.	○	Sosnowski	○			
n	○	Gill	○	Mitchell	○	Soul	○			
	○	Gleason	○	Morgan	○	Stern	○			
re	○	Grant	○	Moser	○	Storm	○			
	○	Groh	○	Mosner	○	Sybert	○			
s	○	Grumbacher	○	Mudd	○	Taylor, H. E.	○			
aw	○	Gullett	○	Murphy	○	Taylor, L.	○			
	○	Hanson	○	Murray, D. S.	○	Ulrich	○			
ette	○	Hardwicke	○	Murray, E. C.	○	Vecera	○			
ess	○	Hargrove	○	Needle	○	Wagandt	○			
ing	○	Harkness	○	Neilson	○	Webb	○			
ill	○	Harris	○	Neumann	○	Webster	○			
s	○	Henderson	○	O'Connor	○	Weidemyer	○			
well	○	Hickman	○	Pascal	○	Wheatley	○			
n	○	Hopkins	○	Penniman	○	White	○			
n	○	Hostetter	○	Peters	○	Willis	○			
	○	Hutchinson	○	Powers	○	Willoner	○			
ot	○	Jett	○	Price	○	Winslow	○			
l	○	Johnson	○	Pullen	○					
ce	○	Kahl	○	Raley	○					

S	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
10	100-200	100-200			JAN. 2
0	0 0	0 0	1000 100	10 1	3
1	1 1	1 1	2000 200	20 2	1
2	2 2	2 2	3000 300	30 3	2
3	3 3	3 3	4000 400	40 4	3
4	4 4	4 4	500 500	50 5	4
5	5 5	5 5	RESO. 600	60 6	5
6	6 6	6 6	2-R. 700	70 7	6
7	7 7	7 7	3-R. 800	80 8	SEPT. 7
8	8 8	8 8	QUO. 900	90 9	OCT. 8
9	9 9	9 9	MOT. 000	00 0	NOV. 9
					DEC. 0



DM

# Constitutional Convention

AMENDMENT NO. 41

To Accompany Minority Report No. JB-1

~~To Accompany Minority Report No. JB-1~~

To Committee Recommendation No. JB-1

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 6, Section 5.21, beginning at line 26,  
2 strike out down through the period in line 43,  
3 and insert in lieu thereof the following:

4  
5 "Section 5.21 Term of Office of Judges of  
6 Appellate Courts. The continuance in office of  
7 each judge of the Court of Appeals and the  
8 Intermediate Appellate Court shall be subject  
9 to approval or rejection by the electorate at  
10 the next general election following the  
11 expiration of two years from the date of his  
12 appointment and every 10 years thereafter so  
13 long as he retains his office. The continu-  
14 ance of office of such judges shall be subject  
15 to approval or rejection by the electorate of  
16 the entire State."

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 41  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claquett		•	Key		•	Robey, F. C.		•
Tawes	•		Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger		•	Rosenstock		•
Abramson		•	Darby	•		Kosakowski		•	Rush	•	
Adkins	•		Della	•		Koss		•	Rybczynski	•	
Anderson		•	Dorsey	•		Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton	•		Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode	•		Macdonald		•	Sherbow		•
Barrick		•	Finch	•		Malkus	•		Sickles		•
Baumann		•	Fornos	•		Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason	•		Singer		•
Beall		•	Frederick	•		Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.	•		Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.	•		Sosnowski		•
Borom		•	Gill		•	Mitchell	•		Soul	•	
Bothe		•	Gleason	•		Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm	•	
Boyer		•	Groh	•		Mosner		•	Sybert		•
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	Murphy	•		Taylor, L.		•
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness	•		Neilson		•	Webb	•	
Buzzell		•	Harris	•		Neumann		•	<del>Webster</del> Ritten	•	
Byrnes		•	Henderson		•	O'Connor	Smith	•	Weidemyer		•
Caldwell		•	Hickman	•		Pascal	•		Wheatley		•
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson		•	Hostetter	•		Peters	•		Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner	•	
Chabot	•		Jett		•	Price		•	Winslow		•
Child	•		Johnson	•		Pullen		•			
Cicone		•	Kahl	•		Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN.
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2 2	2 2	2 2	3000 300	30 3	2
3 3	3 3	3 3	4000 400	• 40 4	3
4 4	4 4	4 4		50 5	4
5 5	5 5	5 5	RESO. 600	60 6	5
6 6	6 6	6 6	2-R. 700	70 7	6
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CT

# Constitutional Convention

AMENDMENT NO. 42

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE WEIDEMEYER

1 On page 6 Section 5.21 Term of Office of  
2 Judge strike out line 41 and insert in lieu  
3 thereof the following:

4  
5 "be determined in a general election by  
6 the elec-"; and

7  
8 On page 6 after line 43 insert:

9  
10  
11 "electorate shall have the choice of  
12 approving the incumbent judge or any  
13 opponent who may file against him, or  
14 of rejecting all the candidates on the  
15 ballot. The"; and

16  
17 On pages 6 and 7 strike out the last  
18 sentence in the section and insert in lieu  
19 thereof the following:

20  
21 "A plurality of the votes cast shall deter-  
22 mine the election. If a plurality of the  
23 votes are cast in favor of the rejection  
24 of all candidates, then no candidate shall  
25 be elected and a vacancy shall exist."

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- 23-A

- 93-N



BF

# Constitutional Convention

AMENDMENT NO. ~~40~~ ~~41~~ ~~42~~ ~~43~~

XXXXXXXXXXXXXXXXXXXXX  
To Amendment No.

To Committee Recommendation No. JB-1

BY DELEGATE BENNETT

1 On page 6 Section 5.21 Term of Office  
2 of Judge strike out the sentence in lines  
3 43 through 50, inclusive, beginning with  
4 the word "The" in line 43 through the  
5 word "thereof." in line 50.  
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56-A

71-N

Record

79 A

43 N

61-A  
62-N

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 43*  
*to JB-1*

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	•Key			•Robey, F. C.		
Tawes	•		Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.			Cleveland	•		Kirkland		•	Rollins		•
James			Dabrowski		•	Koger		•	Rosenstock		•
Abramson			•Darby			Kosakowski	•		•Rush		
Adkins		•	•Della			•Koss			•Rybczynski		
Anderson		•	•Dorsey			•Leitzel			•Scanlan		
Armor		•	•Dukes			Linton	•		•Schloeder		
Bamberger			•Dulany			Lord		•	Schneider		•
Bard			•Eckenrode			Macdonald		•	Sherbow		•
Barrick			•Finch			Malkus	•		Sickles		•
Baumann		•	Fornos		•	Marion		•	Siewierski		•
Beachley			Fox		•	•Mason			Singer		•
Beall		•	Frederick		•	•Maurer			Smith, J. H.		•
Bennett			Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair		•	Gallagher		•	•Miller, B.			Sollins		•
Boileau			Gilchrist		•	Miller, E. C.	•		Sosnowski		•
Borom			Gill		•	•Mitchell			Soul		•
Bothe			Gleason		•	Morgan		•	Stern	•	
Boyce		•	Grant		•	•Moser			Storm	•	
Boyer		•	Groh		•	Mosner		•	•Sybert		
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		•Murphy			•Taylor, L.		
Bryson			Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette			•Hardwicke			•Murray, E. C.			•Vecera		
Burgess	•		Hargrove		•	Needle		•	Wagandt		•
Bushong		•	•Harkness			Neilson		•	•Webb		
Buzzell			•Harris			Neumann	•		•Webster		
Byrnes		•	Henderson		•	O'Connor		•	Weidemeyer		•
Caldwell			Hickman		•	Pascal	•		Wheatley		•
Cardin			Hopkins		•	Penniman		•	White		•
Carson			•Hostetter			•Peters			Willis		•
Case			•Hutchinson			•Powers			Willoner		•
Chabot			Jett		•	•Price			Winslow		•
Child			Johnson		•	Pullen		•			
Cicone		•	•Kahl			Reley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	• 1 1	1 1 •
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
• 5 5	5 5 •	5 5
6 6 •	6 6	6 6
7 7	7 7	• 7 7
8 8	8 8	8 8
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4000	400
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RESO.	600
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3-R.	800
QUO.	900
MOT.	000

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DEC. 0

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Motion to recon-  
sider Amend 43*

2

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key			Robey, F. C.		
Tawes	•		Clarke, E. J.			Kiefer			Robie, K. L.		•
Clark, J.			Cleveland	•		Kirkland		•	Rollins		•
James			Dabrowski	•		Koger			Rosenstock		•
Abramson			Darby	•		Kosakowski		•	Rush	•	
Adkins			Della	•		Koss			Rybczynski		
Anderson		•	Dorsey			Leitzel	•		Scanlan		
Armor			Dukes	•		Linton			Schloeder		
Bamberger			Dulany			Lord		•	Schneider		•
Bard			Eckenrode			Macdonald		•	Sherbow		•
Barrick			Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos		•	Marion		•	Siewierski		•
Beachley			Fox			Mason			Singer		
Beall			Frederick	•		Maurer			Smith, J. H.		•
Bennett			Freedlander			Mentzer			Smith, M. H.		•
Blair			Gallagher			Miller, B.			Sollins		
Boileau			Gilchrist			Miller, E. Y.			Sosnowski		
Borom			Gill		•	Mitchell			Soul		
Bothe			Gleason			Morgan			Stern		•
Boyce	•		Grant			Moser			Storm	•	
Boyer		•	Groh	•		Mosner			Sybert		
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett			Murphy	•		Taylor, L.		
Bryson			Hanson			Murray, D. S.		•	Ulrich		•
Burdette			Hardwicke			Murray, E. C.			Vecera	•	
Burgess		•	Hargrove		•	Needle			Wagandt	•	
Bushong		•	Harkness			Neilson		•	Webb	•	
Buzzell			Harris			Neumann		•	Webster	•	
Byrnes			Henderson			O'Connor	Smith		Weidemeyer		•
Caldwell	•		Hickman		•	Pascal		•	Wheatley		
Cardin			Hopkins			Penniman			White		
Carson			Hostetter			Peters			Willis		
Case			Hutchinson			Powers		•	Willoner		•
Chabot			Jett		•	Price	•		Winslow		•
Child			Johnson		•	Pullen					
Cicone		•	Kahl		•	Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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3000 300	30 3
4000 400	40 4
	50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Reconsideration  
of Amend 43*

YEAS	N-V	NAYS
President		•
Tawes	•	
Clark, J.		
James		
Abramson		
Adkins		
Anderson		•
Armor		•
Bamberger		
Bard		
Barrick		
Baumann		
Beachley		
Beall		
Bennett		
Blair		
Boileau		
Borom	•	
Bothe		
Boyce	•	
Boyer		•
Boyles		•
Bradshaw		•
Bryson		
Burdette		
Burgess		•
Bushong		•
Buzzell		
Byrnes		•
Caldwell	•	
Cardin		
Carson		
Case		
Chabot		
Child		
Cicone		•

YEAS	N-V	NAYS
Claggett		•
Clarke, E. J.		•
Cleveland		
Dabrowski		
Darby		•
Della	•	
Dorsey		•
Dukes	•	
Dulany	•	
Eckenrode	•	
Finch		•
Fornos		•
Fox	•	
Frederick	•	
Freedlander	•	
Gallagher	•	
Gilchrist	•	
Gill		•
Gleason		•
Grant		•
Groh		•
Grumbacher		•
Gullett	•	
Hanson	•	
Hardwicke	•	
Hargrove		•
Harkness	•	
Harris	•	
Henderson	•	
Hickman		•
Hopkins	•	
Hostetter		•
Hutchinson	•	
Jett		•
Johnson		•
Kahl		•

YEAS	N-V	NAYS
Key		
Kiefer	•	
Kirkland		•
Koger		
Kosakowski		•
Koss		
Leitzel	•	
Linton	•	
Lord		•
Macdonald		•
Malkus	•	
Marion		•
Mason	•	
Maurer	•	
Mentzer	•	
Miller, B.	•	
Miller, E. T.	•	
Mitchell	•	
Morgan	•	
Moser	•	
Mosner	•	
Mudd		•
Murphy	•	
Murray, D. S.		•
Murray, E. C.	•	
Needle		•
Neilon		•
Neumann	•	
O'Connor	•	
Smith	•	
Pascal		•
Penniman	•	
Peters	•	
Powers		•
Price	•	
Pullen		•
Raley		•

YEAS	N-V	NAYS
Robey, F. C.	•	
Robie, K. L.		•
Rollins		•
Rosenstock		•
Rush	•	
Rybczynski	•	
Scanlan		
Schloeder	•	
Schneider		•
Sherbow		•
Sickles		•
Siewierski		•
Singer		•
Smith, J. H.		•
Smith, M. H.		•
Sollins		•
Sosnowski	•	
Soul		•
Stern		•
Storm	•	
Sybert	•	
Taylor, H. E.		•
Taylor, L.	•	
Ulrich		•
Vecera	•	
Wagandt		•
Webb		•
Webster	•	
Weidemeyer		•
Wheatley	•	
White		•
Willis	•	
Willoner		•
Winslow		•

YEAS	N-V	NAYS
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DK

# Constitutional Convention

AMENDMENT NO. 44

~~XXXXXXXXXXXX~~ \_\_\_\_\_

To Committee Recommendation No. JB-1

BY DELEGATES CLARK AND RALEY

- 1 On page 6 Section 5.21 Term of Office of
- 2 Judge in line 33 strike out the numerals "10"
- 3 and insert in lieu thereof the numeral "8".
- 4
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~~Must~~ Mindful of both to  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 44*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key			Robey, F. C.		
• Tawes			Clarke, E. J.			Kiefer	•		Robie, K. L.		•
• Clark, J.			Cleveland			• Kirkland			Rollins		•
• James			• Dabrowski			• Koger			Rosenstock		•
• Abramson			• Darby			• Kosakowski			• Rush		
Adkins		•	Della		•	Koss		•	Rybczynski		•
• Anderson			Dorsey		•	• Leitzei			• Scanlan		
Armor		•	Dukes		•	Linton	•		• Schloeder		
• Bamberger			Dulany		•	• Lord			• Schneider		
Bard		•	• Eckenrode			• Macdonald			Sherbow		•
Barrick		•	• Finch			Malkus	•		Sickles		•
Baumann		•	• Fornos			Marion		•	• Siewierski		
• Beachley			Fox		•	• Mason			Singer		•
• Beall			• Frederick			• Maurer			• Smith, J. H.		
• Bennett			Freedlander		•	• Mentzer			Smith, M. H.		•
• Blair			• Gallagher			• Miller, B.			• Sollins		
• Boileau			Gilchrist		•	Miller, E. P.			Sosnowski		•
• Borom			• Gill			• Mitchell			• Soul		
• Bothe			• Gleason			• Morgan			• Stern		
• Boyce			• Grant			Moser		•	Storm	•	
• Boyer			• Groh			Mosner		•	• Sybert		
Boyles	•		• Grumbacher			Mudd		•	• Taylor, H. E.		
Bradshaw		•	Gullett	•		• Murphy			• Taylor, L.		
Bryson		•	Hanson	•		• Murray, D. S.		•	• Ulrich		
• Burdette			Hardwicke			• Murray, E. C.			Vecera		•
• Burgess			Hargrove		•	Needle		•	• Wagandt		
• Bushong			Harkness		•	Neilson		•	• Webb		
• Buzzell			• Harris			Neumann		•	• Webster <i>Ritter</i>		
Byrnes	•		Henderson		•	• O'Connor <i>Smith</i>			• Weidemeyer		
Caldwell		•	Hickman			• Pascal			• Wheatley		
• Cardin			Hopkins		•	Penniman	•		• White		
• Carson			• Hostetter			• Peters			• Willis		
Case	•		• Hutchinson			Powers		•	• Willoner		
• Chabot			• Jett			• Price			Winslow		•
Child		•	• Johnson			Pullen		•			
Cicone		•	• Kahl			• Raley					

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN.
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2 2	2 2	2 2	3000 300	30 3	1
3 3	3 3	3 3	4000 400	• 40 4 •	2
4 4	4 4	• 4 4 •	500	50 5	3
5 5	5 5 •	5 5	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
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DR  
**Constitutional Convention**

AMENDMENT NO. 45

~~TOX AMENDMENT XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S      ADKINS, CASE

1      On page 6 Section 5.21 Term of Office of  
2      Judge in line 44 strike out the word "shall"  
3      and insert in lieu thereof the word "may".  
4  
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# Constitutional Convention

AMENDMENT NO. 46

To Accompany Minority Report JB-1

~~TOX AMENDMENT NO XXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

- 1 On page 7 in Section 5.22 Retirement of
- 2 Judges strike out all of lines 7 through 10,
- 3 inclusive.
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 46*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	• Key			Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer	•		Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski		•	Koger	•		Rosenstock		•
Abramson		•	• Darby			• Kosakowski			• Rush		
Adkins		•	• Della			Koss		•	• Rybczynski		
• Anderson			• Dorsey			Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton	•		Schloeder		•
Bamberger		•	Dulany		•	Lord	•		Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos	•		Marion		•	• Siewierski		
Beachley		•	Fox		•	Mason	•		Singer		•
Beall		•	Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair	•		Gallagher	•		Miller, B.		•	Sollins		•
Boileau	•		Gilchrist		•	Miller, E. Y.			• Sosnowski		
• Borom			Gill		•	Mitchell	•		Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
• Boyce			Grant		•	Moser	•		Storm	•	
Boyer		•	Groh		•	Mosner		•	• Sybert		
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		• Murphy			Taylor, L.		•
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	• Vecera		
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	• Harkness			Neilson		•	Webb		•
Buzzell		•	• Harris			Neumann		•	<del>Webster</del> <i>Roth</i>		•
Byrnes		•	Henderson	•		• O'Connor <i>Smith</i>		•	Weidemeyer		•
Caldwell	•		• Hickman			Pascal	•		Wheatley	•	
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson	•		• Hostetter			• Peters			Willis	•	
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price		•	Winslow		•
Child		•	• Johnson			Pullen		•			
Cicone		•	• Kahl			Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1
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1 1	1 1	1 1	2000 200	20 2	3
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4 4	4 4	4 4 •	500	50 5	3
5 5	5 5	5 5	RESO. 600	60 6 •	4
6 6	6 6 •	6 6	2-R. 700	70 7	5
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9 9	9 9	• 9 9	MOT. 000	00 0	OCT. 8
					• NOV. 9
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# Constitutional Convention

AMENDMENT NO. 47

To Accompany Minority Report JB-1

~~TO AMENDMENT NO. XXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 7 in Section 5.24 Restriction of  
2 Non-Judicial Activities in lines 33 and 34  
3 strike out the following words:

4  
5 "or make any contribution to".

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 47*

*to JB-1*

EAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key	•		Robey, F. C.		•
Tawes		•	• Clarke, E. J.			Kiefer	•		Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger		•	Rosenstock		•
Abramson		•	• Darby			• Kosakowski			• Rush		•
Adkins		•	Della	•		Koss		•	• Rybczynski		•
Anderson		•	Dorsey	•		Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton	•		Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	• Eckenrode			Macdonald		•	Sherbow		•
Barrick	•		Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos		•	Marion		•	• Siewierski		•
Beachley		•	Fox		•	Mason	•		Singer		•
Beall		•	Frederick	•		Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.	•		Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.	•		Sosnowski		•
Borom		•	Gill		•	Mitchell	•		Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm	•	
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles	•		Grumbacher	•		Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.	•	
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera	•	
Burgess	•		Hargrove	•		Needle		•	Wagandt		•
Bushong		•	• Harkness			Neilson		•	• Webb		•
Buzzell		•	Harris		•	Neumann		•	• Webster		•
Byrnes		•	Henderson		•	O'Connor	•	• <i>Smith</i>	• Weidemeyer		•
Caldwell		•	Hickman	•		Pascal	•		Wheatley	•	
Cardin		•	Hopkins	•		Penniman		•	White		•
Carson		•	Hostetter	•		Peters	•		Willis		•
Case		•	Hutchinson	•		Powers		•	Willoner		•
Chabot		•	Jett		•	Price		•	Winslow		•
Child		•	• Johnson			Pullen		•			
Cicone		•	• Kahl			Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2 •
3 3	• 3 3	3 3
4 4	4 4 •	4 4
5 5	5 5	5 5
6 6 •	6 6	6 6
7 7	7 7	7 7
8 8	8 8	8 8
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DEL. PRO.	COM. REC.
1000	100
2000	200
3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
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DATE:	
JAN.	1 2 3
	1 2 3 4 5 6
SEPT.	7
OCT.	8
NOV.	9
DEC.	0



# Constitutional<sup>AB</sup> Convention

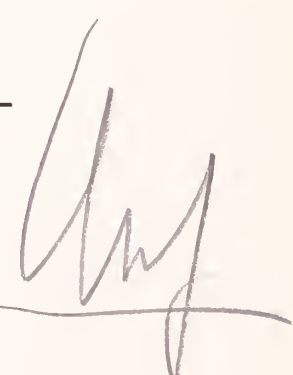
AMENDMENT NO. 48

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE MARION.

1 On page 7 Section 5.24 Restriction of  
2 Non-Judicial Activities, lines 36 through  
3 38 strike out the following:  
4  
5 ", or receive any remuneration for his  
6 judicial service except as provided herein".  
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# Constitutional Convention

AMENDMENT NO. 49

To Accompany Minority Report No. JB-1

~~To Amendment No. XXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

1 On page 7 after Section 5.24 add the  
2 following section:

3  
4 "Section 5. Restriction of Judicial  
5 Activities. No judge shall sit in any  
6 case wherein he shall have been of counsel  
7 in the case, or wherein he may have an  
8 interest in a case in such manner as shall  
9 be prescribed by rule, or where any of the  
10 parties to a case are related to him within  
11 such degrees as shall be prescribed by  
12 rule."  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 49  
To JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		Robey, F. C.		•
Tawes	•		Clarke, E. J.	•		Kiefer	•		Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger	•		Rosenstock		•
Abramson	•		Darby	•		Kosakowski		•	Rush		•
Adkins		•	Della	•		Koss		•	Rybczynski		•
Anderson	•		Dorsey	•		Leitzel	•		Scanlan		•
Armor		•	Dukes	•		Linton		•	Schloeder	•	
Bamberger		•	Dulany		•	Lord	•		Schneider		•
Bard		•	Eckenrode	•		Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles	•	
Baumann	•		Fornos	•		Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason	•		Singer		•
Beall		•	Frederick	•		Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair	•		Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. V.	•		Sosnowski	•	
Borom	•		Gill	•		Mitchell	•		Soul		•
Bothe	•		Gleason		•	Morgan	•		Stern		•
Boyce	•		Grant		•	Moser		•	Storm	•	
Boyer		•	Groh	•		Mosner		•	Sybert		•
Boyles	•		Grumbacher	•		Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.	•	
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera	•	
Burgess	•		Hargrove		•	Needle		•	Wagandt		•
Bushong	•		Harkness	•		Neilson	•		Webb	•	
Buzzell		•	Harris	•		Neumann		•	Webster <i>N. H. v</i>		•
Byrnes		•	Henderson		•	O'Connor <i>Smith</i>	•		Weidemeier		•
Caldwell	•		Hickman	•		Pascal		•	Wheatley	•	
Cardin		•	Hopkins		•	Penniman	•		White		•
Carson	•		Hostetter	•		Peters	•		Willis	•	
Case		•	Hutchinson	•		Powers		•	Willoner		•
Chabot		•	Jett		•	Price		•	Winslow		•
Child		•	Johnson	•		Pullen	•				
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1 •
0 0	0 0	0 0	1000 100	10 1	JAN. 2 •
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5 5	5 5	5 5	RESO. 600	60 6	4
6 6	6 6 •	6 6	2-R. 700	70 7	5
7 7	7 7	7 7 •	3-R. 800	80 8	6
8 8	8 8	8 8	QUO. 900	90 9 •	SEPT. 7
9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
					NOV. 9
					DEC. 0



# Constitutional Convention

AMENDMENT NO. 50

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To Accompany Minority Report JB-1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

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BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, DIEWIERSKI, RUSH

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1 On page 8 in Section 5.26 Commission  
2 on Judicial Disabilities in lines 28 and  
3 29 strike out the following words "one  
4 lay person, and one lawyer" and insert  
5 in lieu thereof the following: "two  
6 lay persons, and two lawyers".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 50  
to JB-1*

YEAS	N-V	NAYS
President		•
Tawes	•	
• Clark, J.		
James		•
Abramson		•
Adkins		•
• Anderson		
Armor		•
Bamberger		•
Bard		•
Barrick	•	
Baumann	•	
• Beachley		
Beall		•
Bennett	•	
Blair	•	
Boileau	•	
Borom		•
Bothe		•
Boyce	•	
Boyer	•	
Boyles		•
Bradshaw		•
Bryson		•
Burdette		•
Burgess		•
Bushong		•
Buzzell		•
Byrnes		•
Caldwell	•	
Cardin		•
Carson	•	
Case		•
• Chabot		
Child		•
Cicone		•

YEAS	N-V	NAYS
Clagett		•
Clarke, E. J.		•
Cleveland	•	
Dabrowski		
• Darby		
• Della		
• Dorsey		
Dukes	•	
Dulany		•
• Eckenrode		
Finch		•
• Fornos		
Fox		•
Frederick	•	
Freedlander		•
Gallagher	•	
Gilchrist		•
Gill		•
• Gleason		
• Grant		
Groh	•	
Grumbacher		
Gullett	•	
Hanson		•
• Hardwicke		
Hargrove		•
• Harkness		
• Harris		
Henderson		•
• Hickman		
Hopkins		•
• Hostetter		
• Hutchinson		
Jett		•
• Johnson		
• Kahl		

YEAS	N-V	NAYS
Key	•	
Kiefer		•
• Kirkland		
• Koeger		
• Kosakowski		
Koss		•
Leitzel	•	
• Linton		
Lord		•
Macdonald		•
Malkus	•	
Marion		•
Mason		•
Maurer		•
Mentzer		•
Miller, B.		•
Miller, E. T.		•
• Mitchell		
Morgan		•
Moser	•	
Mosner		•
Mudd		•
Murphy	•	
Murray, D. S.		•
Murray, E. C.		•
Needle		•
• Neilson		
• Neumann		
O'Connor		•
Smith		•
Pascal		•
Penniman		•
• Peters		
Powers		•
Price	•	
Pullen		•
Raley		•

YEAS	N-V	NAYS
Robey, F. C.		•
Robie, K. L.		•
Rollins		•
Rosenstock		•
Rush	•	
• Rybczynski		
Scanlan		•
Schloeder		•
Schneider		•
Sherbow		•
Sickles	•	
• Siewierski		
Singer	•	
Smith, J. H.		•
Smith, M. H.		•
• Sollins		
• Sosnowski		
• Soul		
Stern	•	
Storm	•	
• Sybert		
Taylor, H. E.		•
Taylor, L.		•
Ulrich		•
Vecera	•	
Wagandt		•
Webb		•
Webster	•	
• Weidemyer		
• Wheatley		
White		•
Willis		•
• Willoner		
Winslow		•

YEAS 100-200	N-V 100-200	NAYS 100-200
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1 1	1 1	1 1 •
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4 4	4 4	4 4
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9 9	9 9	9 9

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4000	400 40 4
	500 • 50 5
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3-R.	800 80 8
QUO.	900 90 9
MOT.	000 00 0 •

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SEPT.	7	
OCT.	8	
• NOV.	9	
DEC.	0	





# Constitutional<sup>2</sup> Convention

AMENDMENT NO. 57

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE MARION

1 On page 9 Section 5.28 Rules Governing  
2 Commission on Judicial Disabilities line 14,  
3 before the word "shall" insert the following:  
4  
5 ", and the means of implementing the powers  
6 granted by Section 5.27,".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 5-1*  
*to JB-1*

YEAS	N-V	NAYS
• President		
Tawes •		
• Clark, J.		
• James		
Abramson •		
• Adkins		
• Anderson		
• Armor		
• Bamberger		
• Bard		
Barrick •		
Baumann •		
• Beachley		
• Beall		
Bennett •		
• Blair		
• Boileau		
• Borom		
• Bothe		
Boyce •		
Boyer •		
• Boyles		
• Bradshaw		
• Bryson		
• Burdette		
• Burgess		
• Bushong		
• Buzzell		
• Byrnes		
Caldwell •		
• Cardin		
• Carson		
Case •		
• Chabot		
Child •		
• Cicone		

YEAS	N-V	NAYS
• Clagett		
Clarke, E. J. •		
• Cleveland		
Dabrowski •		
Darby •		
• Della		
• Dorsey		
Dukes •		
• Dulany		
• Eckenrode		
• Finch		
• Fornos		
• Fox		
Frederick •		
• Freedlander		
• Gallagher		
• Gilchrist		
• Gill		
• Gleason		
• Grant		
• Groh		
Grumbacher •		
• Gullett		
• Hanson		
Hardwicke •		
• Hargrove		
• Harkness		
• Harris		
• Henderson		
• Hickman		
• Hopkins		
• Hostetter		
• Hutchinson		
• Jett		
• Johnson		
• Kahl		

YEAS	N-V	NAYS
• Key		
• Kiefer		
• Kirkland		
• Koger		
• Kosakowski		
• Koss		
Leitzel •		
• Linton		
• Lord		
• Macdonald		
Malkus •		
• Marion		
Mason •		
• Maurer		
Mentzer •		
• Miller, B.		
Miller, E. •		
Mitchell •		
• Morgan		
Moser •		
• Mosner		
• Mudd		
Murphy •		
• Murray, D. S.		
Murray, E. C. •		
• Needle		
• Neilson		
• Neumann		
• O'Connor <i>Smith</i>		
Pascal •		
• Penniman		
• Peters		
• Powers		
Price •		
• Pullen		
• Raley		

YEAS	N-V	NAYS
• Robey, F. C.		
• Robie, K. L.		
• Rollins		
• Rosenstock		
Rush •		
Rybczynski •		
• Scanlan		
• Schloeder		
• Schneider		
• Sherbow		
• Sickles		
Siewierski •		
• Singer		
• Smith, J. H.		
• Smith, M. H.		
• Sollins		
Sosnowski •		
• Soul		
• Stern		
Storm •		
• Sybert		
• Taylor, H. E.		
Taylor, L. •		
• Ulrich		
Vecera •		
• Wagandt		
• Webb		
• Webster <i>Ritter</i>		
• Weidemeyer		
• Wheatley		
• White		
• Willis		
• Willoner		
• Winslow		

YEAS	N-V	NAYS
100-200	100-200	100-200
• 0 0	0 0	• 0 0 •
1 1	1 1	1 1
2 2	2 2	2 2
3 3	• 3 3	3 3
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1000 100	10 1 •	JAN. 2 •
2000 200	20 2	3
3000 300	30 3	1
4000 400	40 4	2
500	• 50 5	3
RESO. 600	60 6	4
2-R. 700	70 7	5
3-R. 800	80 8	6
QUO. 900	90 9	SEPT. 7
MOT. 000	00 0	OCT. 8
		• NOV. 9
		DEC. 0



CL

# Constitutional Convention

AMENDMENT NO. 52

~~XXXXXXXXXXXXXXXXXXXX~~  
~~To Amendment No.~~

To Committee Recommendation No. JB-1

BY DELEGATES CLARK, RALEY

1 On page 4 Section 5.14 Nomination and  
2 Appointment in line 50 after the letters  
3 "nees." add this sentence:  
4

5 "If no sufficient list is received by  
6 the governor within the time specified  
7 herein, the governor may fill the vacancy  
8 by appointing any eligible person."  
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*45*  
*or a list with less than*  
*the minimum number of*  
*names*

*vacancy*





# Constitutional Convention

AMENDMENT NO. 53

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To Accompany Minority Report JB-1

~~XXXXXXXXXXXXXXXXXXXX~~  
~~To Amendment No. XXXXXXX~~

To Committee Recommendation No. JB-1

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BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
 KAHL, MURPHY, SIEWIERSKI, RUSH

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1 On page 9 in Section 5.29 Administration  
 2 of Judicial System strike out all of lines  
 3 21 through 36, inclusive, and insert in  
 4 lieu thereof the following:

5  
 6 "The Chief Judge of the Court of Appeals.  
 7 shall be the administrative head of the  
 8 judicial system. The Governor shall design-  
 9 nate one Intermediate Appellate Court Judge,  
 10 one Superior Court Judge, and one District  
 11 Court Judge as the chief judges of their  
 12 respective courts to perform such duties  
 13 in connection with the administration of  
 14 the judicial system as are assigned them  
 15 by the Chief Judge of the Court of Appeals.  
 16 Each shall serve for the remainder of his  
 17 service on the Court, or until he resigns  
 18 the office of Chief Judge. Administrative  
 19 judges may be designated by the Chief Judge  
 20 of the Court of Appeals as prescribed by  
 21 rule. The Court of Appeals shall provide  
 22 by rule for the assignment of any judge  
 23 to sit temporarily in any court."

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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

Amend 53  
to JB-1

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key			Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland			Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson		•	Darby		•	Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey		•	Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus		•	Sickles		•
Baumann		•	Fornos		•	Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason		•	Singer		•
Beall		•	Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski		•
Borom		•	Gill		•	Mitchell		•	Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm		•
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	Murphy		•	Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris		•	Neumann		•	Webster		•
Byrnes		•	Henderson		•	O'Connor		•	Wheatley		•
Caldwell		•	Hickman		•	Smith		•	White		•
Cardin		•	Hopkins		•	Pascal		•	Willis		•
Carson		•	Hostetter		•	Penniman		•	Willoner		•
Case		•	Hutchinson		•	Peters		•	Winslow		•
Chabot		•	Jett		•	Powers		•			
Child		•	Johnson		•	Price		•			
Cicone		•	Kahl		•	Pullen		•			
						Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN. 2
0 0	0 0	0 0	1000 100	10 1	3
1 1	• 1 1	1 1	2000 200	20 2	1
2 2	2 2	2 2	3000 300	30 3	• 2
3 3	3 3	3 3	4000 400	40 4	3
4 4	4 4	4 4	500	• 50 5	4
5 5	5 5	5 5	RESO. 600	60 6	5
6 6	6 6	6 6	2-R. 700	70 7	6
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8 8	8 8	• 8 8	QUO. 900	90 9	OCT. 8
9 9	9 9	• 9 9	MOT. 000	00 0	• NOV. 9
					DEC. 0



# Constitutional Convention

AMENDMENT NO. 54

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To Accompany Minority Report No. JB-1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

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BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

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1     On page 9 Section 5.30 Clerks of Court line  
2     49 after the word "Court" add the words  
3     "in each county".  
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CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 54  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	•Key			Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer	•		Robie, K. L.		•
Clark, J.		•	Cleveland		•	•Kirkland			Rollins		•
James		•	Dabrowski		•	Koger	•		Rosenstock		•
Abramson		•	•Darby		•	Kosakowski		•	Rush		•
Adkins		•	•Della		•	Koss		•	•Rybczynski		•
Anderson		•	•Dorsey		•	Leitzel		•	Scanlan		•
Armor		•	•Dukes		•	•Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
•Baumann		•	Fornos	•		Marion		•	•Siewierski		•
Beachley		•	Fox		•	Mason		•	Singer		•
Beall		•	•Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
•Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	•Gilchrist		•	Miller, E. T.		•	•Sosnowski		•
Borom	•		Gill		•	•Mitchell		•	•Soul		•
Bothe		•	•Gleason		•	Morgan		•	•Stern		•
Boyce		•	Grant	•		Moser		•	Storm	•	
•Boyer		•	Groh		•	Mosner		•	•Sybert		•
Boyles	•		Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	•Murphy		•	Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwick		•	Murray, E. C.		•	•Vecera		•
Burgess	•		Hargrove		•	Needle		•	Wagandt		•
•Bushong		•	•Harkness		•	Neilson		•	•Webb		•
•Buzzell		•	•Harris		•	Neumann		•	•Webster <i>R. Her</i>		•
Byrnes	•		Henderson		•	O'Connor <i>Smith</i>		•	•Weidemeyer		•
•Caldwell		•	•Hickman		•	•Pascal		•	•Wheatley		•
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson		•	•Hostetter		•	•Peters		•	Willis		•
Case		•	•Hutchinson		•	Powers		•	Willoner		•
Chabot		•	•Jett		•	Price		•	Winslow		•
Child		•	•Johnson		•	•Pullen		•			
Cicone		•	•Kahl		•	Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0	0	0
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DEL. PRO.	COM. REC.
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RESO.	600
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SEPT.	7
OCT.	8
NOV.	9
DEC.	0





X

# Constitutional Convention

AMENDMENT NO. 55

To Accompany Minority Report No. JB-1 (B)

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATE S DULANY, BRADSHAW, HARGROVE,  
MARION

- 1 On page 9 Section 5.30 Clerks of Court
- 2 strike out all of the last two sentences
- 3 in the section on lines 46 through 49 and
- 4 insert in lieu thereof the following:
- 5
- 6 "The clerk of the Superior Court in each
- 7 county and the clerk of the District Court
- 8 in each county shall be appointed in the
- 9 manner and for the term prescribed by
- 10 rule to perform those judicial functions
- 11 and administrative duties with respect
- 12 to their courts as are prescribed by rule."
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48 A  
183 N



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 5-5  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President			Clagett			Key			Robey, F. C.		
Tawes			Clarke, E. J.			Kiefer			Robie, K. L.		
Clark, J.			Cleveland			Kirkland			Rollins		
James			Dabrowski			Koger			Rosenstock		
Abramson			Darby			Kosakowski			Rush		
Adkins			Della			Koss			Rybczynski		
Anderson			Dorsey			Leitzel			Scanlan		
Armor			Dukes			Linton			Schloeder		
Bamberger			Dulany			Lord			Schneider		
Bard			Eckenrode			Macdonald			Sherbow		
Barrick			Finch			Malkus			Sickles		
Baumann			Fornos			Marion			Siewierski		
Beachley			Fox			Mason			Singer		
Beall			Frederick			Maurer			Smith, J. H.		
Bennett			Freedlander			Mentzer			Smith, M. H.		
Blair			Gallagher			Miller, B.			Sollins		
Boileau			Gilchrist			Miller, E. F.			Sosnowski		
Borom			Gill			Mitchell			Soul		
Bothe			Gleason			Morgan			Stern		
Boyce			Grant			Moser			Storm		
Boyer			Groh			Mosner			Sybert		
Boyles			Grumbacher			Mudd			Taylor, H. E.		
Bradshaw			Gullett			Murphy			Taylor, L.		
Bryson			Hanson			Murray, D. S.			Ulrich		
Burdette			Hardwicke			Murray, E. C.			Vecera		
Burgess			Hargrove			Needle			Wagandt		
Bushong			Harkness			Neilson			Webb		
Buzzell			Harris			Neumann			<del>Webster</del> Ritter		
Byrnes			Henderson			O'Connor			Weidemeyer		
Caldwell			Hickman			Smith			Wheatley		
Cardin			Hopkins			Pascal			White		
Carson			Hostetter			Penniman			Willis		
Case			Hutchinson			Peters			Willoner		
Chabot			Jett			Powers			Winslow		
Child			Johnson			Price					
Cicone			Kahl			Pullen					
						Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	20 2
3000 300	30 3
4000 400	40 4
500	50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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DATE:
JAN. 2
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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



CO

# Constitutional Convention

AMENDMENT NO.

56

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES WILLONER, STERN

1 On page 10 Section 5.31 Rule-Making Power  
2 line 18, after the period insert the sentence:  
3 "However, a rule shall not supersede a law  
4 unless at least two years have elapsed since  
5 the effective date of the law."

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T

# Constitutional Convention

AMENDMENT NO. 51

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To Accompany Minority Report No. JB-1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

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BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

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1     On page 10 after Section 5.31 add the  
2     following section:

3  
4     "Section 5. Right of Removal. There  
5     shall be the right of removal in each case  
6     before the Superior Court and the District  
7     Court in a manner prescribed by rule or  
8     by law."

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AG

# Constitutional Convention

AMENDMENT NO. 58

~~TO AMENDMENT NO. XXXXXXXX~~

To Committee Recommendation No. JB-1

BY DELEGATES STERN, WILLONER

1 On page 10 after Section 5.31 add the  
2 following new section:  
3  
4 "Section 5. Written and Published  
5 Opinions. The Court of Appeals and the  
6 Intermediate Appellate Court shall file a  
7 written opinion in every case. They shall  
8 also provide for the publication of such  
9 opinions."

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**REJECTED**

JAN 21 1964  
JAN 21 1964  
JAN 21 1964



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 58*  
*to JB-1*

2

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key		•	Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland		•	Rollins		•
James		•	Dabrowski		•	Koger		•	Rosenstock		•
Abramson		•	Darby		•	Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey	•	•	Leitzel		•	Scanlan		•
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		•
Barrick	•	•	Finch		•	Malkus		•	Sickles		•
Baumann		•	Fornos	•	•	Marion		•	Siewierski		•
Beachley		•	Fox		•	Mason		•	Singer		•
Beall	•	•	Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.		•	Sosnowski		•
Borom		•	Gill		•	Mitchell		•	Soul		•
Bothe		•	Gleason		•	Morgan		•	Stern		•
Boyce		•	Grant		•	Moser		•	Storm	•	•
Boyer		•	Groh		•	Mosner		•	Sybert		•
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	Murphy		•	Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	Needle		•	Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	Harris		•	Neumann		•	Webster	<i>Ritter</i>	•
Byrnes		•	Henderson		•	O'Connor	<i>Smith</i>	•	Weidemeyer		•
Caldwell		•	Hickman		•	Pascal		•	Wheatley		•
Cardin		•	Hopkins		•	Penniman		•	White		•
Carson		•	Hostetter		•	Peters		•	Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot		•	Jett		•	Price		•	Winslow		•
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
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3 3	3 3	3 3
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8 8	8 8	8 8
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3000 300	30 3
4000 400	40 4
	500 50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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SEPT. 7
OCT. 8
• NOV. 9
DEC. 0









CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 59  
to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett		•	Key	•		Robey, F. C.		•
Tawes		•	Clarke, E. J.		•	• Kiefer			Robie, K. L.		•
Clark, J.		•	Cleveland	•		• Kirkland			Rollins		•
James	•		• Dabrowski			Koger		•	Rosenstock		•
Abramson			• Darby			• Kosakowski			• Rush		
• Adkins			Della	•		Koss		•	• Rybczynski		
• Anderson			• Dorsey			Leitzel		•	• Scanlan		
Armor		•	Dukes		•	Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	Eckenrode		•	Macdonald		•	Sherbow		
Barrick		•	• Finch			Malkus	•		Sickles		•
• Baumann			Fornos	•		Marion		•	Siewierski		•
• Beachley			Fox		•	Mason	•		Singer		•
Beall	•		Frederick		•	Maurer	•		Smith, J. H.		•
• Bennett			Freedlander		•	Mentzer		•	Smith, M. H.		•
• Blair			Gallagher			Miller, B.		•	Sollins		•
Boileau		•	Gilchrist		•	Miller, E. T.	•		• Sosnowski		
Borom		•	Gill		•	Mitchell	•		• Soul		
Bothe		•	Gleason		•	Morgan	•		Stern		•
Boyce	•		Grant		•	Moser		•	Storm	•	
Boyer		•	• Groh			Mosner	•		• Sybert		
Boyles		•	Grumbacher			Mudd		•	Taylor, H. E.		
Bradshaw		•	Gullett		•	• Murphy			• Taylor, L.		
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.			• Vecera		
Burgess	•		Hargrove		•	Needle		•	Wagandt		•
• Bushong			Harkness		•	Neilson		•	• Webb		
Buzzell		•	Harris	•		Neumann	•		• Webster		
Byrnes		•	Henderson		•	O'Connor	•		• Weidemeyer		
• Caldwell			Hickman		•	• O'Connor Smith	•		• Wheatley		
Cardin		•	Hopkins		•	Pascal	•		White		•
Carson		•	• Hostetter			• Penniman		•	Willis		•
Case		•	Hutchinson			Peters		•	Willoner		•
Chabot		•	Jett		•	Powers		•	Winslow		•
Child		•	• Johnson			Price		•			
Cicone		•	Kahl		•	Pullen		•			
						Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN.
0 0	0 0	0 0	1000 100	10 1	2 •
1 1	1 1	1 1	2000 200	20 2	3
2 2	• 2 2	2 2	3000 300	30 3	1
• 3 3	3 3	3 3	4000 400	40 4	2 •
4 4	4 4 •	4 4	500	• 50 5	3
5 5	5 5	5 5 •	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
7 7	7 7	7 7	3-R. 800	80 8	6
8 8	8 8	• 8 8	QUO. 900	90 9 •	SEPT. 7
9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
					• NOV. 9
					DEC. 0



# Constitutional Convention

AMENDMENT NO. 60

To Accompany Minority Report No. JB-1

~~TO AMENDMENT NO. 60~~

To Committee Recommendation No. JB-1

BY DELEGATE S JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, DIEWIERSKI, RUSH

1 On page 9 following Section 5.30 add  
2 the following section:

3  
4 "Section 5. Sheriffs. The General  
5 Assembly may provide by law for the office  
6 of sheriff in any county of this State.  
7 The selection, tenure, compensation, power  
8 and non-judicial duties of the sheriff  
9 shall be prescribed by law. The General  
10 Assembly may provide by law for deputies  
11 of the sheriff in each county. The judicial  
12 duties of the office of sheriff may be  
13 prescribed by rule."

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Wm  
50-A  
76-N

① MF powers  
②



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 60*  
*to JB-1*

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	•Key			Robey, F. C.		•
•Tawes			Clarke, E. J.		•	Kiefer		•	•Robie, K. L.		
•Clark, J.			Cleveland		•	•Kirkland			•Rollins		
James		•	•Dabrowski			Koger		•	Rosenstock		
Abramson			•Darby			•Kosakowski			•Rush		
Adkins		•	•Della			Koss		•	•Rybczynski		
•Anderson			•Dorsey			Leitzel		•	Scanlan		•
Armor		•	•Dukes			•Linton			Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard		•	•Eckenrode			Macdonald		•	Sherbow		•
•Barrick			Finch		•	Malkus	•		Sickles		•
Baumann		•	Fornos		•	Marion		•	•Siewierski		
•Beachley			Fox		•	Mason		•	Singer		•
Beall	•		•Frederick			Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer	•		Smith, M. H.		•
•Blair			Gallagher		•	Miller, B.		•	Sollins		•
Boileau		•	•Gilchrist			Miller, E. T.		•	•Sosnowski		
Borom		•	Gill		•	Mitchell	•		•Soul		
Bothe		•	Gleason		•	•Morgan			•Stern		
Boyce		•	•Grant			Moser		•	Storm	•	
Boyer	•		•Groh			Mosner	•		•Sybert		
Boyles		•	Grumbacher		•	Mudd		•	Taylor, H. E.		•
Bradshaw		•	•Gullett			•Murphy			Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	•Vecera		
•Burgess			Hargrove		•	Needle		•	Wagandt		•
•Bushong			•Harkness			Neilson		•	•Webb		
•Buzzell			Harris	•		Neumann	•		•Webster		
Byrnes		•	Henderson		•	O'Connor		•	•Weidemeyer		
•Caldwell			•Hickman			Pascal		•	Wheatley		•
•Cardin			Hopkins		•	Penniman		•	White		•
•Carson			•Hostetter			•Peters			Willis		•
Case		•	Hutchinson		•	Powers		•	Willoner		•
•Chabot			Jett		•	Price		•	Winslow		•
•Child			•Johnson			Pullen		•			
Cicone		•	•Kahl			Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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					• NOV. 9
					DEC. 0





# Constitutional Convention

AMENDMENT NO. 61

---

To Accompany Minority Report No. JB-1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. JB-1

---

BY DELEGATES JOHNSON, HARKNESS, HICKMAN,  
KAHL, MURPHY, SIEWIERSKI, RUSH

---

1 On page 9 following Section 5.30 add  
2 the following section:

3  
4 "Section 5. Registers of Wills.  
5 The General Assembly may prescribe by law for  
6 a register of wills in any county of the  
7 State. The selection, tenure and compen-  
8 sation of the register of wills shall be  
9 prescribed by law. The General Assembly  
10 may prescribe by law for clerks in the  
11 office of register of wills upon certifi-  
12 cation of need from the chief judge of  
13 the Superior Court. The powers and duties  
14 of the register of wills shall be prescribed  
15 by rule."

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REJECTED

MARYLAND & RARE BOOK ROOM  
UNIVERSITY OF MARYLAND LIBRARY  
COLLEGE PARK, MD.



CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

*Amend 61  
to JB-1*

YEAS	N-V	NAYS
President		•
• Tawes		
• Clark, J.		
James		•
• Abramson		
Adkins		•
• Anderson		
Armor	•	
Bamberger		•
Bard		•
Barrick		•
Baumann		
• Beachley		
Beall	•	
Bennett		•
Blair		
Boileau		•
Borom	•	
Bothe		•
Boyce		•
Boyer	•	
Boyles		•
Bradshaw		•
Bryson		•
Burdette		•
• Burgess		
• Bushong		
• Buzzell		
Byrnes		•
• Caldwell		
Cardin		•
Carson		•
Case		•
Chabot		•
Child		•
Cicone		•

YEAS	N-V	NAYS
Clagett		•
Clarke, E. J.		•
Cleveland		
Dabrowski		
• Darby		
• Della		
• Dorsey		
Dukes		•
Dulany		•
• Eckenrode		
Finch		•
Fornos		•
Fox		•
• Frederick		
Freedlander		•
• Gallagher		
• Gilchrist		
Gill		•
Gleason		•
• Grant		
• Groh		
• Grumbacher		
Gullett		•
Hanson		•
Hardwicke		
Hargrove		•
• Harkness		
Harris	•	
Henderson		•
Hickman		•
Hopkins		
• Hostetter		
• Hutchinson		
Jett		•
• Johnson		
• Kahl		

YEAS	N-V	NAYS
Key		•
Kiefer	•	
Kirkland	•	
Koger		•
Kosakowski		
Koss		•
Leitzel		•
• Linton		
Lord		•
Macdonald		•
Malkus	•	
Marion		•
Mason	•	
Maurer		•
Mentzer		•
Miller, B.		•
Miller, E. T.		
Mitchell		•
• Morgan		
Moser		•
Mosner	•	
Mudd		•
• Murphy		
Murray, D. S.		•
• Murray, E. C.		
Needle		•
Neilson		•
Neumann	•	
<del>O'Connor</del> Smith		•
Pascal		•
• Penniman		
• Peters		
Powers		•
Price		•
• Pullen		
Raley	•	

YEAS	N-V	NAYS
Robey, F. C.		•
• Robie, K. L.		
• Rollins		
Rosenstock		
• Rush		
• Rybczynski		
• Scanlan		
Schloeder		•
Schneider		•
Sherbow		•
Sickles		•
• Siewierski		
Singer	•	
Smith, J. H.		•
Smith, M. H.		•
Sollins		•
• Sosnowski		
• Soul		
• Stern		
Storm	•	
• Sybert		
Taylor, H. E.		•
Taylor, L.		•
Ulrich		•
• Vecera		
Wagandt		•
• Webb		
• Webster Ritten		
• Weidemeyer		
Wheatley	•	
White		•
• Willis		
Willoner		•
Winslow		•

YEAS	N-V	NAYS
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DEL. PRO.	COM. REC.
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3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

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	6	
SEPT.	7	
OCT.	8	
• NOV.	9	
DEC.	0	



# Constitutional Convention

AMENDMENT NO. \_\_\_\_\_

XXXXXXXXXXXXXXXXXXXX

To Committee Recommendation No. JB-1

BY DELEGATE SCHLOEDER

- 1 On pages 6 and 7 Section 5.21 Term of
- 2 Office of Judge strike out all of lines
- 3 29 through 50, inclusive, on page 6 and
- 4 strike out all of lines 1 and 2 on page 7
- 5 and insert in lieu thereof the following:
- 6
- 7 "Each judge shall hold his office for
- 8 an initial term of seven years and thereafter
- 9 indefinitely subject to removal or retire-
- 10 ment according to the provisions of this
- 11 Article."
- 12
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# THE HISTORY OF THE UNITED STATES OF AMERICA

BY

WILLIAM F. SWANWICK

OF THE UNIVERSITY OF CHICAGO

AND

OF THE UNIVERSITY OF TORONTO

WITH ILLUSTRATIONS BY

W. F. S.

THE HISTORY OF THE UNITED STATES OF AMERICA  
FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME  
IN TEN VOLUMES

VOLUME I

THE FIRST SETTLEMENTS TO THE PRESENT TIME

S. and C. 15

# Constitutional Convention

## COMMITTEE RECOMMENDATION NO. JB-2

---

BY THE COMMITTEE ON THE JUDICIAL BRANCH,  
F. DeSales Mudd, Chairman

---

December 15 , 1967.

Presented, read, and referred to the Committee of the Whole.

By order, IRA J. WAGONHEIM, Chief Clerk.

---

This Recommendation covers Delegate Proposals Nos.

---

### TITLE

1 A RECOMMENDATION that the Constitution con-  
2 tain a provision requiring that the full cost  
3 of the judicial system be borne by the State,  
4 the provision to read as follows:

5  
6 Section \_\_\_\_ . Cost of Judicial Branch.

7  
8 The cost of operation and administra-  
9 tion of the Judicial Branch of the State  
10 Government shall be borne exclusively by  
11 the State, and all revenues derived from  
12 the operation and administration of the  
13 Judicial Branch shall inure to the State.

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# Constitutional Convention

## COMMITTEE MEMORANDUM NO. JB-2

---

BY THE COMMITTEE ON THE JUDICIAL BRANCH,  
F. DeSales Mudd, Chairman

---

December 15 , 1967.

In support of Committee Recommendation No. JB-2

---

1 In its Memorandum supporting Committee  
2 Recommendation JB-1, the Committee on the  
3 Judicial Branch indicated that its intention  
4 was that the entire cost of operating the  
5 State judicial system should be borne by the  
6 State. The Committee further recommended  
7 that a provision to this effect be included  
8 in the Article on State Finance and Taxa-  
9 tion.

10  
11 However, the Recommendations submitted by  
12 the Committee on State Finance and Taxation  
13 have not included any such express provision.  
14 Hence it seems appropriate to recommend the  
15 inclusion of such language in some part of  
16 the Constitution, whether in the Judicial  
17 Article or elsewhere.

18  
19 Recommendation JB-2 contemplates that the  
20 full cost of operation of the judicial sys-  
21 tem shall be borne by the State. This in-  
22 cludes judicial compensation, without local  
23 supplementation, as provided in Section 5.23  
24 of Recommendation JB-1. It also includes  
25 salaries of court clerks and other court em-  
26 ployees, provision of physical facilities  
27 for the courts, maintenance of Bar libraries,  
28 and the like. Naturally, it is also contem-  
29 plated that all revenues from court opera-  
30 tions, including court costs, recording fees,  
31 fines and forfeitures, and the like, would  
32 flow to the State.

1       The Bureau of Fiscal Research has furnished  
2 information indicating that the present net  
3 cost of operating the judicial system is in  
4 the neighborhood of \$13,670,493.00. Of this  
5 sum, \$2,607,226 is presently paid by the  
6 State, and the balance by various political  
7 subdivisions. Thus, for the State to take  
8 over the cost of the present system would in-  
9 volve an additional expenditure of some  
10 \$11,063,267, while at the same time the local  
11 subdivisions would be relieved of an obliga-  
12 tion in a similar amount. It should be noted  
13 that this \$11 million figure may be somewhat  
14 inflated because it includes to some degree  
15 certain costs such as sheriffs' compensation  
16 which would not represent a cost of the judi-  
17 cial system to the extent that the duties  
18 performed by the sheriff are non-judicial in  
19 nature, such as police functions.

20  
21       The Bureau of Fiscal Research has further  
22 estimated the additional cost of establish-  
23 ing the District Court system State-wide  
24 would be some \$250,000.00. Naturally, these  
25 figures are only estimates, based on salar-  
26 ies, costs and revenues for the fiscal year  
27 1967-68. Increases in salaries and costs  
28 could make substantial differences. So  
29 could provisions for a large number of new  
30 District Court judges, at substantial salar-  
31 ies. These matters are largely in the con-  
32 trol of the Legislature.

33  
34       If a truly effective judicial system is  
35 to be maintained, the aggregate cost will be  
36 much the same, whether all is paid by the  
37 State or part by the State and part by politi-  
38 cal subdivisions. Thus, whether these esti-  
39 mates are precise is in a sense of secondary  
40 importance. The first essential is to insure  
41 that the judicial system is the best that can  
42 be devised. The people of the State are en-  
43 titled to no less. Payment of full costs of  
44 such a system by the State is consistent with  
45 the unified State-wide judiciary contemplated  
46 by Recommendation JB-1; and with a denial of  
47 judicial power to the counties, as provided  
48 by Recommendation LG-1. And the State's as-  
49 sumption of the full financial burden could

50

1       The Bureau of Fiscal Research has furnished  
2 information indicating that the present net  
3 cost of operating the judicial system is in  
4 the neighborhood of \$13,670,493.00. Of this  
5 sum, \$2,607,226 is presently paid by the  
6 State, and the balance by various political  
7 subdivisions. Thus, for the State to take  
8 over the cost of the present system would in-  
9 volve an additional expenditure of some  
10 \$11,063,267, while at the same time the local  
11 subdivisions would be relieved of an obliga-  
12 tion in a similar amount. It should be noted  
13 that this \$11 million figure may be somewhat  
14 inflated because it includes to some degree  
15 certain costs such as sheriffs' compensation  
16 which would not represent a cost of the judi-  
17 cial system to the extent that the duties  
18 performed by the sheriff are non-judicial in  
19 nature, such as police functions.

20  
21       The Bureau of Fiscal Research has further  
22 estimated the additional cost of establish-  
23 ing the District Court system State-wide  
24 would be some \$250,000.00. Naturally, these  
25 figures are only estimates, based on salar-  
26 ies, costs and revenues for the fiscal year  
27 1967-68. Increases in salaries and costs  
28 could make substantial differences. So  
29 could provisions for a large number of new  
30 District Court judges, at substantial salar-  
31 ies. These matters are largely in the con-  
32 trol of the Legislature.

33  
34       If a truly effective judicial system is  
35 to be maintained, the aggregate cost will be  
36 much the same, whether all is paid by the  
37 State or part by the State and part by politi-  
38 cal subdivisions. Thus, whether these esti-  
39 mates are precise is in a sense of secondary  
40 importance. The first essential is to insure  
41 that the judicial system is the best that can  
42 be devised. The people of the State are en-  
43 titled to no less. Payment of full costs of  
44 such a system by the State is consistent with  
45 the unified State-wide judiciary contemplated  
46 by Recommendation JB-1; and with a denial of  
47 judicial power to the counties, as provided  
48 by Recommendation LG-1. And the State's as-  
49 sumption of the full financial burden could  
50





1 result in some economies through elimination of  
2 duplication and because such a system would,  
3 for the first time, permit comprehensive and  
4 detailed analysis of the true cost of operating  
5 the Judicial Branch.

6  
7 By Transitional Provisions, this Committee  
8 is proposing to implement uniform compensa-  
9 tion, paid solely by the State as of July 1,  
10 1968, for the judges of the three upper court  
11 tiers. The Committee proposes to postpone  
12 other aspects of the State's assumption of  
13 all costs of the judicial system until Janu-  
14 ary 1, 1970, when provisions as to the Dis-  
15 trict Court will become fully effective.

16  
17 This method of phasing in will give the  
18 Legislature the opportunity to work out ap-  
19 propriate adjustments of the problems in-  
20 volved.





CONSTITUTIONAL CONVENTION OF MARYLAND  
1967  
ROLL CALL

Com. Rec. JB-2 ③

YEAS	N-V	NAYS
● President		
● Tawes		
● Clark, J.		
● James		
● Abramson		
● Adkins		
● Anderson		
● Armor		
● Bamberger		
● Bard		
● Barrick		
● Baumann		
● Beachley		
● Beall		
● Bennett		
● Blair		
● Boileau		
● Borom		
● Bothe		
● Boyce		
● Boyer		
● Boyles		
● Bradshaw		
● Bryson		
● Burdette		
● Burgess		
● Bushong		
● Buzzell		
● Byrnes		
● Caldwell		
● Cardin		
● Carson		
● Case		
● Chabot		
● Child		
● Cicone		

YEAS	N-V	NAYS
● Clagett		
● Clarke, E. J.		
● Cleveland		
● Dabrowski		
● Darby		
● Della		
● Dorsey		
● Dukes		
● Dulany		
● Eckenrode		
● Finch		
● Fornos		
● Fox		
● Frederick		
● Freedlander		
● Gallagher		
● Gilchrist		
● Gill		
● Gleason		
● Grant		
● Groh		
● Grumbacher		
● Gullett		
● Hanson		
● Hardwick		
● Hargrove		
● Harkness		
● Harris		
● Henderson		
● Hickman		
● Hopkins		
● Hostetter		
● Hutchinson		
● Jett		
● Johnson		
● Kahl		

YEAS	N-V	NAYS
● Key		
● Kiefer		
● Kirkland		
● Koger		
● Kosakowski		
● Koss		
● Leitzel		
● Linton		
● Lord		
● Macdonald		
● Malkus		
● Marion		
● Mason		
● Maurer		
● Mentzer		
● Miller, B.		
● Miller, E.		
● Mitchell		
● Morgan		
● Moser		
● Mosner		
● Mudd		
● Murphy		
● Murray, D. S.		
● Murray, E. C.		
● Needle		
● Neilson		
● Neumann		
● Smith, A. W.		
● Pascal		
● Penniman		
● Peters		
● Powers		
● Price		
● Pullen		
● Raley		

YEAS	N-V	NAYS
● Robey, F. C.		
● Robie, K. L.		
● Rollins		
● Rosenstock		
● Rush		
● Rybczynski		
● Scanlan		
● Schloeder		
● Schneider		
● Sherbow		
● Sickles		
● Siewierski		
● Singer		
● Smith, J. H.		
● Smith, M. H.		
● Sollins		
● Sosnowski		
● Soul		
● Stern		
● Storm		
● Sybert		
● Taylor, H. E.		
● Taylor, L.		
● Ulrich		
● Vecera		
● Wagandt		
● Webb		
● Ritter		
● Weidemeyer		
● Wheatley		
● White		
● Willis		
● Willoner		
● Winslow		

YEAS	N-V	NAYS
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